

In the High Court of Judicature at Madras

Dated: 07.10.2015

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The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.31696 of 2015

T.Retna Bai

.... Petitioner

Vs.

1. The Government of Tamil Nadu
rep. by the Principal Secretary to the Government,
School Education Department,
Fort St. George,
Chennai - 600 009.
2. The District Elementary Educational Officer,
Nagercoil, Kanyakumari District.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus to direct the first respondent to issue orders extending the benefits of the order of this Court in W.P.No.8368/2008 dated 10.11.2009 and the other of the first respondent in G.O.(3-D) No.41, School Education (G2) Department dated 27.3.2012 and fix the petitioner's pay in the scale of pay applicable to the post of Primary School Headmaster for the period of service rendered by the petitioner in the said post from 3.6.1997 to 31.5.2000 and grant her all consequential benefits.

For Petitioner : Mr.P.Rajendran
For Respondents : Mr.V.Subbiah, Spl.G.P.

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The petitioner would state that she was appointed as Secondary Grade Teacher on 01.10.1970 and granted selection grade with effect from 01.10.1980 and special grade with effect from 01.10.1990. In the year 1997, while she was working as a Special Grade Secondary Grade Teacher, she was transferred as Primary School Headmaster at the Government Primary School, Unnamalaikadai, Karungal Range and joined duty on 03.06.1997.

She worked in that capacity till the date of retirement, i.e., on 31.5.2000.

3. The grievance now expressed by the petitioner is that she was not paid pay in the scale of pay applicable to the post of Primary School Headmaster for the reason that she was appointed by transfer from the category of Secondary Grade Teacher and the services were not regularized in the category of Primary School Headmaster. It is the specific case of the petitioner that persons similarly placed like that of the petitioner has filed Writ Petition in W.P.No.8368 of 2008 before this Court and got a positive order and it was also implemented. The petitioner also relies upon G.O.(3-D) No.41, School Education (G2) Department dated 27.3.2012. In this regard, the petitioner has submitted a representation to the first respondent dated 12.08.2015. Since no response is forthcoming, the petitioner came forward to file this Writ Petition and prays for appropriate orders.

4. Heard the submissions of the learned counsel appearing for the petitioner and MrV.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above-said facts and circumstances, directs the first respondent to consider and dispose of the representation of the petitioner dated 12.08.2015 on merits and in accordance with law within a period of 10 weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The Writ Petition is disposed of accordingly. No costs.

sd/
ASSISTANT REGISTRAR(CO)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

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To

1. The Principal Secretary to the Government,
The Government of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai - 600 009.

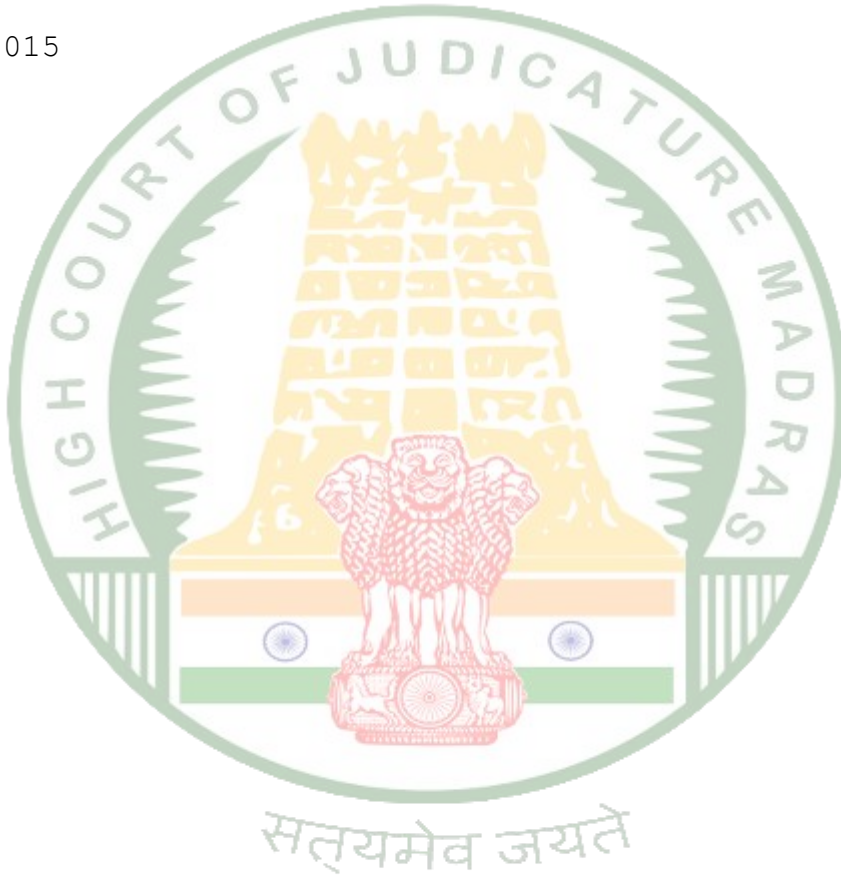
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2. The District Elementary Educational Officer,
Nagercoil, Kanyakumari District.

+1 CC to MR. P.Rajendran ADVOCATE. SR.NO.54923
+1 CC to Govt.Pleader. SR.NO. 54727

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CO-SV
JD 20/10/2015



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