

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33708/2015

1.A.Ilangovan
2.V.Chendilvel

...Petitioners

Versus

1. The Secretary,
State of Tamil Nadu
School Education Department
Fort St George, Chennai 600 009.
2. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.
3. The District Elementary Educational Officer,
Kancheepuram,
Kancheepuram District.
4. The District Elementary Educational Officer
Thiruvannamalai District.
5. The Assistant Elementary Educational Officer
Acharapakkam Block,
Kancheepuram District.
6. The Assistant Elementary Education Officer,
West Arni,
Thiruvannamalai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of mandamus directing the respondents to dispose of the petitioner's representation dated 10.01.2015 submitted with request to implement the order in CA.Nos.282/1993, 283/1993 dated 08.05.1996 passed by the Tamil Nadu Administrative Tribunal and award Secondary Grade Assistant Scale of pay by counting

petitioner's entire higher grade services on par with secondary grade scale of pay accordingly pay the revision of pension with all its arrears to the petitioner.

For Petitioners : Mr.P.Murali

For R1 to R6 : Mr.V.Subbiah, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioners would claim that they are qualified Secondary Grade Assistants and also approached the Tamil Administrative Tribunal by filing CA.Nos.282 and 283/1993 praying for counting the Higher Grade Service for the purpose of fixation of secondary grade scale of pay and it was also ordered on 08.05.1996 and the petitioners, in this regard, have repeatedly making representations to the respondents to implement the said order of the Tribunal and a written representation dated 10.01.2015 was also submitted and since they have not been favoured with any response, they came forward to file this writ petition.

3 Learned counsel for the petitioners would submit that the above said order passed by the Tribunal has become final and therefore, the respondents are duty bound to implement the same and hence, prays for appropriate orders.

4 Per contra, Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents, would contend that the petitioners are guilty of delay and laches for the reason that though the Tribunal has passed the order as early as on 08.05.1996, they have approached this Court very belatedly by filing this writ petition and hence, on this sole ground, the writ petition deserves to be dismissed and prays for dismissal of the writ petition.

5 Though the petitioners have prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioners either in their representation or in this writ petition, directs the 2nd respondent to consider and dispose of the petitioners' representation dated 10.01.2015 in accordance with law and pass orders within a

period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

6 The writ petition is disposed of accordingly.
No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary,
State of Tamil Nadu
School Education Department
Fort St George, Chennai 600 009.
2. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.
3. The District Elementary Educational Officer,
Kancheepuram,
Kancheepuram District.
4. The District Elementary Educational Officer
Thiruvannamalai District.
5. The Assistant Elementary Educational Officer
Acharapakkam Block,
Kancheepuram District.
6. The Assistant Elementary Education Officer,
West Arni,
Thiruvannamalai District.

1 CC to Mr.P.Murali, Advocate SR.No. 58097
1 CC to the Government Pleader, SR.No. 57887

W.P.No.33708/2015

SAI (CO)
PSI (03.11.2015)