

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.34912 of 2015

1. M.S.Chandrasekaran
2. K.Velmurugan
3. A.Dorairaj
4. M.Harikrishnan

... Petitioners

-Vs-

1. The State
rep. by its The Secretary
School Education Department
Fort St.George Chennai 600 009.
2. The Director of School Education
D.P.I. College Road
Nungambakkam Chennai 600 006.
3. The District
Elementary Educational Officer
Thiruvannamalai District.
4. The Assistant
Elementary Educational Officer
West Arni, Thiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to dispose the petitioner's representation dated 10.01.2015 in the light of G.O.Ms.No. 347 School Education Department dated 15.09.1998 and award Secondary Grade Assistant Scale of Pay by counting Petitioners 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 Petitioner : Mr.P.Murali

For Respondents : Mr. N.Srinivasan
Additional Government Pleader

O R D E R

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

2. The service particulars of the petitioner are follows:

S.No .	Name and last working School	Date of Appointment of Higher Grade Teacher	Date of Promotion as Secondary Teacher	Date of Retirement
1.	M.S.Chandrasekaran, P.U.M.School, Pudupalayam	31.10.1969	01.01.1971	30.06.2003
2.	K.Velmurugan P.U.M School, Anjiputhur	05.06.1970	01.01.1971	30.06.2006
3.	A.Dorairaj PUM School Kolathur	31.10.1969	01.01.1971	30.06.2003
4 .	M.Harikrishnan PUM School, Pudupalayam	04.09.1969	01.01.1971	30.05.2005

3. Petitioners would state that initially they were appointed as teachers in various schools of Thirivannamalai District. In terms of G.O.Ms.No.347, School Education Department dated 15.09.1998, persons appointed prior to 01.01.1971 in the post of Higher Grade Teachers are eligible for the post of Secondary Grade Assistant and accordingly, the scale of pay has also been fixed and arrears were also paid. Some of the qualified Secondary Grade Teachers has approached the Tamil Nadu Administrative Tribunal praying for appropriate orders by taking into account the higher grade wages for the purpose of fixing of Secondary Grade scale of pay and it was also allowed and it was

also applied by passing various Government orders. Petitioner had also submitted a joint representation dated 10.1.2015 to the respondents and since no orders have been passed, came forward with this writ petition.

4. The learned counsel for the petitioner would submit that in similar circumstances, this Court vide order dated 02.09.2015 made in W.P.No.27462 of 2015 in R.Pasupathi and others Vs. The State of Tamil Nadu, Rep by the Secretary to Government and others has directed the respondents to consider and dispose of the representation submitted by the petitioners therein by taking into account G.O.Ms.No.70, School Education Department, dated 28.05.2014 in accordance with law and prays for similar orders.

5. This Court heard the submissions of the learned counsel for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader, who accepts notice on behalf of Respondents.

6. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the case, directs the respondents 2 and 3 to consider and dispose of the petitioners' representation dated 10.1.2015 and pass orders on merits and in accordance with law in the light of the above cited Government Order within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

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To

1. The Secretary
School Education Department
Fort St.George Chennai 600 009.

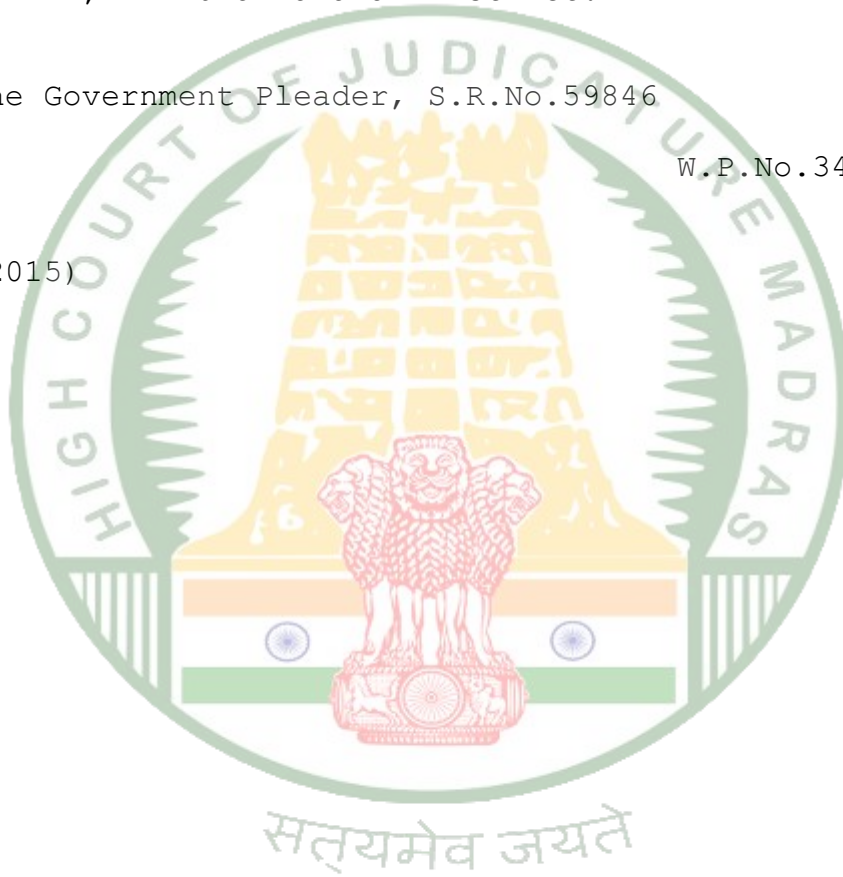
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2. The Director of School Education
D.P.I. College Road
Nungambakkam Chennai 600 006.
3. The District
Elementary Educational Officer
Thiruvannamalai District.
4. The Assistant
Elementary Educational Officer
West Arni, Thiruvannamalai District.

+1cc to the Government Pleader, S.R.No.59846

W.P.No.34912 of 2015

VD(CO)
CA(24/11/2015)



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