

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.35099 of 2015

M.Thayanithi

... Petitioner

Vs.

1.The State of Tamil Nadu
rep by its Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

... Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents herein to extend the benefit of G.O.Ms.No.23 dated 12.01.2011 by granting the petitioner with special/personal pay of Rs.750/- per month with notional effect from 01.01.2006 as has been extended with regard to the other categories of teachers such as B.T.Assistant/ PG Assistant/ Middle School Headmaster / Elementary School Headmaster / Higher Secondary School Headmaster and monetary benefit with effect from 01.01.2007 instead of monetary benefit with effect from 01.01.2011.

For Petitioners : Ms.Dakshayani Reddy

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

O R D E R

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

2. The petitioner would state that he was appointed as Secondary Grade Teacher with effect from 26.08.1999 and also regularized in the said post with effect from the said date in the time scale of pay of Rs.4,500-125-7,000/- and

subsequently, the Government issued G.O.Ms.No.234, Finance Department, dated 01.06.2009, whereby the revision of pay scale was implemented by the State of Tamil Nadu. Since the pay scale fixed by the Government was very low comparing to the pay scale of the Secondary Grade Teachers in the Central Government employment, several associations approached the Government and represented to bring to the pay scale of Secondary Grade Teachers on par with that of Central Government pay scales.

3. It is the further case of the petitioner that the Government appointed One Man Commission vide G.O.Ms.No.444, Finance Department, dated 09.09.2009, to go into the grievance brought to the notice of the Government and as per recommendation of One Man Commission, the Government issued G.O.Ms.No.23, dated 12.01.2011, thereby the Government revised the pay scales of B.T. Assistant/P.G. Assistants/Middle School Headmasters/Elementary School Headmasters and Higher Secondary School Headmasters with effect from 01.01.2011. But so far as the Secondary Grade Teachers are concerned, no notional benefit is granted from 01.01.2006 but only monetary benefit is granted from 01.01.2011 and therefore, the petitioner made a representation dated 24.06.2015. Since no orders have been passed, the petitioner came forward to file this writ petition.

4. Heard the submissions of Ms.Dakshayani Reddy, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for respondents.

5. Though the petitioner prayed for the larger relief, this Court, in the light of the facts and circumstances, directs the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 24.06.2015 on merits and in accordance with law within a period of twelve 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.

vsm

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

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

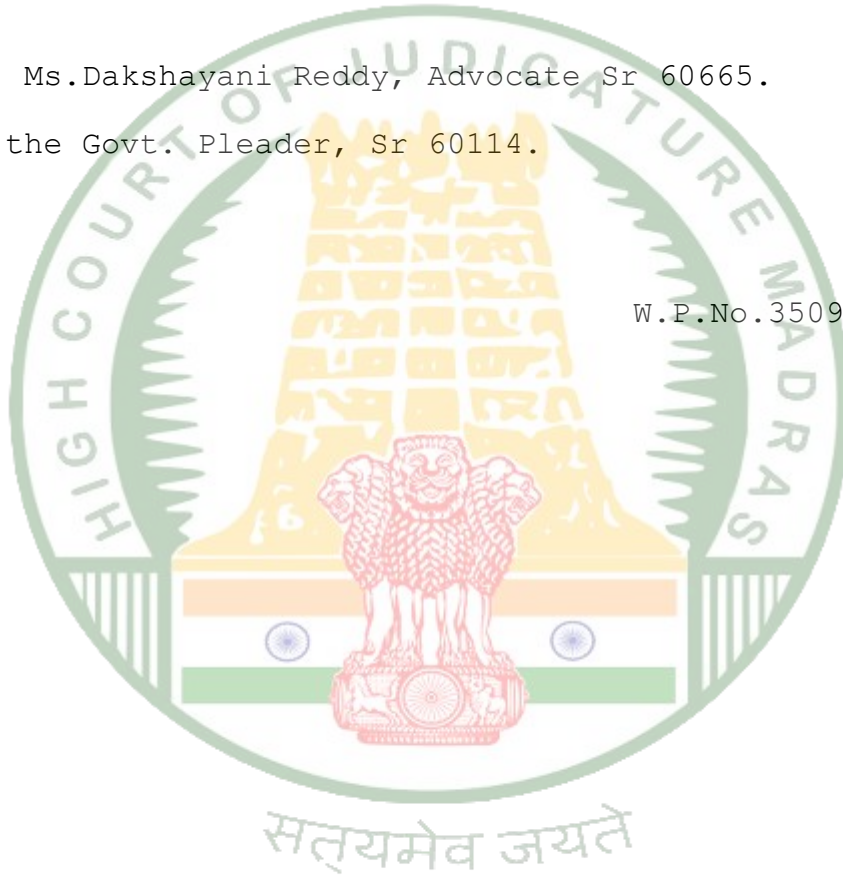
2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

+ 1 cc to Ms.Dakshayani Reddy, Advocate Sr 60665.

+ 1 cc to the Govt. Pleader, Sr 60114.

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