

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.01.2016

Coram :

The Hon'ble Mr.Justice K.KALYANASUNDARAM

W.P.No.114 of 2016

M.Mathews

... Petitioner

vs

1.State of Tamil Nadu
rep.by its Secretary to Government,
School Education Department,
Secretariat, Chennai - 9.

2.Director of School Education,
Chennai - 600 006.

3.District Educational Officer,
Vridhachalam,
Cuddalore District.

4.Headmaster and Correspondent,
Sacred Heart Higher Secondary School,
Irrupukurichi, Vridhachalam Taluk,
Cuddalore District.

5.Correspondent and Secretary,
St. Mary's High School,
Odiyathur Village & Post,
Thirukovilur Taluk,
Villupuram District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the respondents to approve the appointment of the petitioner as Secondary Grade Teacher in the time scale of pay with effect from 01.07.2002 and confer all the consequential benefits by considering the representation dated 27.01.2015.

For Petitioner : Mr.C.Selvaraj
Senior Counsel for
M/s.C.S.Associates

For Respondents: Mrs.M.E.Rani Selvam
Addl. Govt. Pleader

O R D E R

By consent, this writ petition is taken up for disposal at the admission stage itself.

2. The prayer sought for in the writ petition is to issue direction to the respondents to approve the appointment of the petitioner as Secondary Grade Teacher in the time scale of pay with effect from 01.07.2002.

3. The petitioner would state that he was appointed as Secondary Grade Teacher on 01.07.2002 in the regular time scale of pay and joined duty on the same day in the 4th respondent school. The Management forwarded proposal to the 3rd respondent for approval of the petitioner and the 3rd respondent approved the appointment of the petitioner as Junior Grade Secondary Grade Assistant on a consolidated pay of Rs.3,000/- w.e.f. 01.06.2003 on the ground that the Government had issued order directing to downgrade the time scale post of Secondary Grade Assistant as Junior Grade Secondary Grade Assistant.

4. The petitioner would further state that the Teacher's Association made representations to the Government and eventually the Government issued orders restoring the original time scale post of Secondary Grade Assistant with effect from 01.06.2006 and also re-designate the post as Secondary Grade Assistant. However, further representation by the Teacher's Association requesting to restore the post with effect from 01.06.2003 was not considered. The petitioner also made similar representation to the Government on 27.01.2015 requesting to approve his appointment w.e.f. 01.07.2002 in the time scale of pay. Since no order has been passed, the present writ petition is filed.

5. Heard Mr.C.Selvaraj, Senior Counsel appearing for the petitioner and Mrs.M.E.Rani Selvam, learned Additional Government Pleader who accepts notice on behalf of the respondents.

6. This Court, taking into consideration the above facts and circumstances and without going into the merits of the case, directs the 1st respondent to consider and dispose of the petitioner's representations dated 27.01.2015, on merits and in accordance with law and pass orders, 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.

With the above direction, the writ petition is disposed of. No costs.
Rgr

Sd/-
Assistant Registrar (C.C.C.)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary to Government,
State of Tamil Nadu
School Education Department,
Secretariat, Chennai - 600 009.
2. The Director of School Education,
Chennai - 600 006.
3. The District Educational Officer,
Vridhachalam, Cuddalore District.

+1 C.C. To M/S. C.S.Associates Advocate vide SR.NO.1076

+1 C.C. To Government Pleader in SR.NO.967

W.P.No.114 of 2016

CNR(CO)
sd : 28/01/2016

सत्यमेव जयते

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