

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.12635 of 2016

C.Kaliannan
S/o.A.Chinnagounder

.. Petitioner

Versus

- 1.The Government of Tamil Nadu
represented by the
Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Director of School Education,
College Road, Nungambakkam,
Chennai - 6.
- 3.The Chief Educational Officer,
Dharmapuri, Dharmapuri District.
- 4.The District Educational Officer,
Dharmapuri, Dharmapuri District.
- 5.The Head Master,
Government Higher Secondary School,
Begarahalli, Dharmapuri District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to award pay protection in the category of B.T.Grade Middle School Head Master with effect from the date of absorption 07.07.1974 to the date of retirement 31.07.2003 in the light of the Government Letter issued by Special Commissioner and Secretary to Government, School Education Department in Government Letter No.76967/M1/88, dated 15.06.1988 and award Selection/Special Grade B.T.Middle School Head Master pay scale with effect from 01.06.1988 to 31.07.2003 and the consequential benefits including revision of pension.

For Petitioner	:	Mr.K.Thennan
For Respondents	:	Mr.A.Kumar, Special Government Pleader

O R D E R

Mr.C.Kaliannan, who was initially appointed as B.T. Grade Middle School Head Master on 07.06.1972 at Panchayat Union Middle School, Mangarai, Pennaagaram Panchayat Union Unit, Dharmapuri District, has retired from service on attaining the age of superannuation on 31.07.2003. While the petitioner was working as B.T. Grade Middle School Head Master, he has been absorbed as B.T. Assistant in High School. The petitioner filed a case before the Tamil Nadu State Administrative Tribunal, Chennai, in O.A.No.1741 of 1995 stating that since he has worked as B.T.Grade Middle School Head Master, he is entitled to get the benefit of B.T.Grade Middle School Head Master pay from the date of absorption as B.T. Assistant in the High School to till his date of retirement i.e. 31.07.2003. The Tribunal, under orders dated 22.02.2002, passed an order in favour of the petitioner. Thereafter, the petitioner filed W.P.No.43695 of 2007 before this Court seeking a direction to implement the order of the Tribunal. This Court has also directed the respondents to consider the representation of the petitioner and pass appropriate orders on merits within a period of four weeks. It is the grievance of the petitioner that till date the order of the Tribunal has not been implemented, for which he has also given a representation to the respondents. Hence, the petitioner has filed the present writ petition.

2. Mr.A.Kumar, the learned Special Government Pleader, takes notice for the respondents.

3. Considering the limited nature of prayer, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner and pass orders on merits in the light of the earlier orders within a period of six weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed with the above direction. No costs.
gm

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

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

2.The Director of School Education,
College Road, Nungambakkam,
Chennai - 6.

3.The Chief Educational Officer,
Dharmapuri, Dharmapuri District.

4.The District Educational Officer,
Dharmapuri, Dharmapuri District.

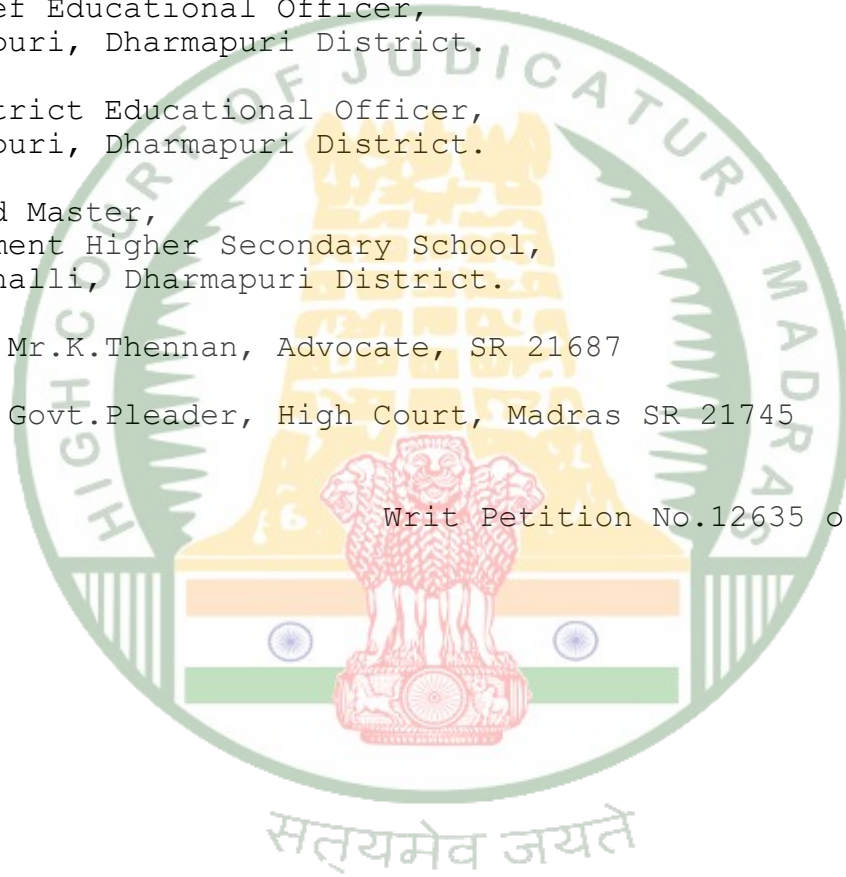
5.The Head Master,
Government Higher Secondary School,
Begarahalli, Dharmapuri District.

+ 1 cc to Mr.K.Thennan, Advocate, SR 21687

+ 1 cc to Govt.Pleader, High Court, Madras SR 21745

sai(co)
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