

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.2027 of 2016

P.Kamalam .. Petitioner

Vs.

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

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

3.The Chief Educational Officer,
Namakkal District, Namakkal. ... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to extend the benefit of G.O.[4D]No.10, School Education [D2] Department, dated 09.03.2012 and the G.O.[2D] No.70, School Education [Nee Vaa 3[2]] Department, dated 12.11.2014 to the petitioner and to grant consequential scale of pay of B.Ed. Middle School Headmaster with Selection and Special Grade scales of pay and to arrive at a last drawn pay and thereafter to grant consequential arrears of pay as well as arrears of pension.

For Petitioner : Mr.R.Saseetharan

For Respondents : Mr.S.Gunasekaran

Government Advocate

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that he was initially appointed as B.Ed. Middle School Headmaster on 11.10.1972 in the Panchayat Union Middle School, Mullukuruchi. Thereafter, the Middle School was upgraded as Government High School and the petitioner was absorbed as B.T. Assistant. The grievance of the petitioner is that B.T. School Headmaster, who continued in the same position have drawn more pay than that of B.T. Assistant as Headmaster in High School. The petitioner is entitled for

benefits under G.O.[4D]No.10, School Education [D2] Department, dated 09.03.2012 and G.O.[2D]No.70, School Education [Nee Vaa 3 [2]] Department, dated 12.11.2014. Since the benefit was not extended, the petitioner made a representation dated 21.03.2015 to the respondents. Since no order has been passed by the respondents, the Writ Petition has been filed by the petitioner.

3.Heard the submissions of Mr.R.Saseetharan, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate, who accepts notice on behalf of the respondents.

4.This Court, taking into consideration the above facts and circumstances and without going into the merits of the same, directs the respondents to consider the representation of the petitioner dated 21.03.2015 and pass orders, on merits and in accordance with law, preferably on or before 31.05.2016 and communicate the decision taken to the petitioner.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sri
To

- 1.The Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Fort St.George, Chennai - 600 009.
- 2.The Director of School Education,
College Road, Chennai - 600 006.
- 3.The Chief Educational Officer,
Namakkal District, Namakkal.

1 cc to M/s. R. Saseethanran, Advocate SR.3992
+ 1 cc to Government Pleader SR.3710

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AK(CO)
EU 24.02.16