

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.34438 of 2016

Manivannan

... Petitioner

Vs.

1. Government of Tamilnadu
by its Secretary,
Department of School Education,
Chennai.
 2. The Director of School Education,
Directorate of School Education,
Chennai-6.
 3. The Chief Educational Officer,
Namakkal.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the additional increment as per the G.O.Ms. 237, Finance (Pay Cell) Department dated 22.07.2013 and pay the monetary pension benefit from 01.04.2013 to the petitioner.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.S.Gunasekaran
Additional Government Pleader

ORDER

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

2.The present writ petition has been filed seeking a Mandamus directing the respondents to pay the additional increment as per the G.O.Ms. 237, Finance (Pay Cell) Department dated 22.07.2013 and pay the monetary pension benefit from 01.04.2013 to the petitioner.

3.The petitioner would state that he possess M.A., B.Ed., M.P.ED., qualifications and joined as Grade I Physical Director on 31.01.1981 in Higher Secondary School at Kalappanaickanpatti, Namakkal District. He was promoted as Headmaster on 31.12.2006 and was posted in the Government Boys Higher Secondary School, Palacode in Dharmapuri District and retired from service on reaching the age of superannuation at Government Girl's Higher Secondary School, Kalappanaickanpatti on 30.09.2009.

4.The petitioner would further state that he was given one increment for Selection Grade for Higher Secondary Headmaster on 31.12.2006, but he is also eligible to get another increment from 31.12.2006 as per G.O.Ms.No.237, Finance (Pay Cell) Department, dated 22.07.2013 and would further state that as per the said G.O., he is also eligible to get monetary benefit in pension payment from 01.04.2013. The petitioner in this regard, submitted a representation to the third respondent on 23.08.2013 and since it evoked no response, once again he sent another representation dated 28.07.2016 to the third respondent and since the same have not been considered so far, came forward to file this writ petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader who takes notice for the respondents.

6.Considering the submissions made on either side, this Court directs the petitioner to give a copy of the representation dated 28.07.2016 along with a copy of this order to the respondents, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter.

7.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Government of Tamilnadu
Department of School Education,
Chennai.
2. The Director of School Education,
Directorate of School Education,
Chennai-6.
3. The Chief Educational Officer,
Namakkal.

+1cc to Mr.S.Muthukrishnan, Advocate, S.R.No.55916
+1cc to the Government Pleader, S.R.No.56466

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SK(CO)
CA(07/11/2016)



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