

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.39516 of 2016

WMP.No.33800 of 2016

P.Anandhan

.. Petitioner

vs.

1.The State of Tamilnadu Rep. by
The Secretary to Government,
School Education Department,
Secretariat, Chennai-9.

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

3.The District Educational Officer,
Vellore District,
Vellore.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to grant the benefit of the annual increments, with effect from 20.7.94, Selection Grade Benefits as per the order of the third respondent in his Proc.Pa.Mu.No.2560/A1/2013 dated 3.7.13 and Na.Ka.No.3993/A1/2014 dated 25.09.2014.

For Petitioner : Mr.R.Singaravelan, Senior Counsel
for M/s.M.Srividhya

For Respondents : Mr.V.Anandhamoorthy,
Additional Govt. Pleader (Education)

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the respondents to grant the benefit of annual increments, with effect from 20.7.94, Selection Grade Benefits as per the order of the third respondent in his Proc.Pa.Mu.No.2560/A1/2013 dated 3.7.13 and Na.Ka.No.3993/A1/2014 dated 25.09.2014.

2. The petitioner was appointed to the post of Sweeper on daily wages through employment exchange, vide order dated 24.12.1990 passed by the third respondent and he joined service on 31.12.2010. The third respondent, vide order dated 20.07.1994, appointed the petitioner to the existing vacancy in the post of Night Watchman, Govt. High School, Jallureddipalli in the regular time scale of pay of Rs.750-12-870-15-945 and had been serving in the said post. The third respondent, vide order dated September 2012, has regularized the services of the petitioner with effect from the date of joining in regular vacancy and granting monetary benefits with effect from the date of the order. The petitioner's service was regularized with effect from 28.7.1994 relaxing the age limit. The petitioner would further state that though he was appointed in the regular vacancy with effect from 28.07.1994, increment was not paid to him so far and in fact, vide orders dated 03.07.2013 of the third respondent, selection grade was given to the petitioner with effect from 27.07.2004 and vide order dated 25.09.2014, Special Grade was given with effect from 28.07.2014. But so far, both the orders have not been implemented despite repeated representations given by the petitioner to the respondents. Hence, the petitioner has come forward with this writ petition.

3. Heard both sides and perused the entire materials placed before it.

4. Though the petitioner has prayed for larger relief, this Court in the light of the above facts and circumstances, permits the petitioner to submit a fresh representation to the respondents along with a copy of this order 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 in the light of the orders of the third respondent in Proc.Pa.Mu.No.2560/A1/2013 dated 03.07.2013 and Na.Ka.No.3993/A1/2014 dated 25.09.2014 and pass orders within a period of four weeks thereafter.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm

To

1. The Secretary to Government,
The State of Tamilnadu
School Education Department,
Secretariat, Chennai-9.

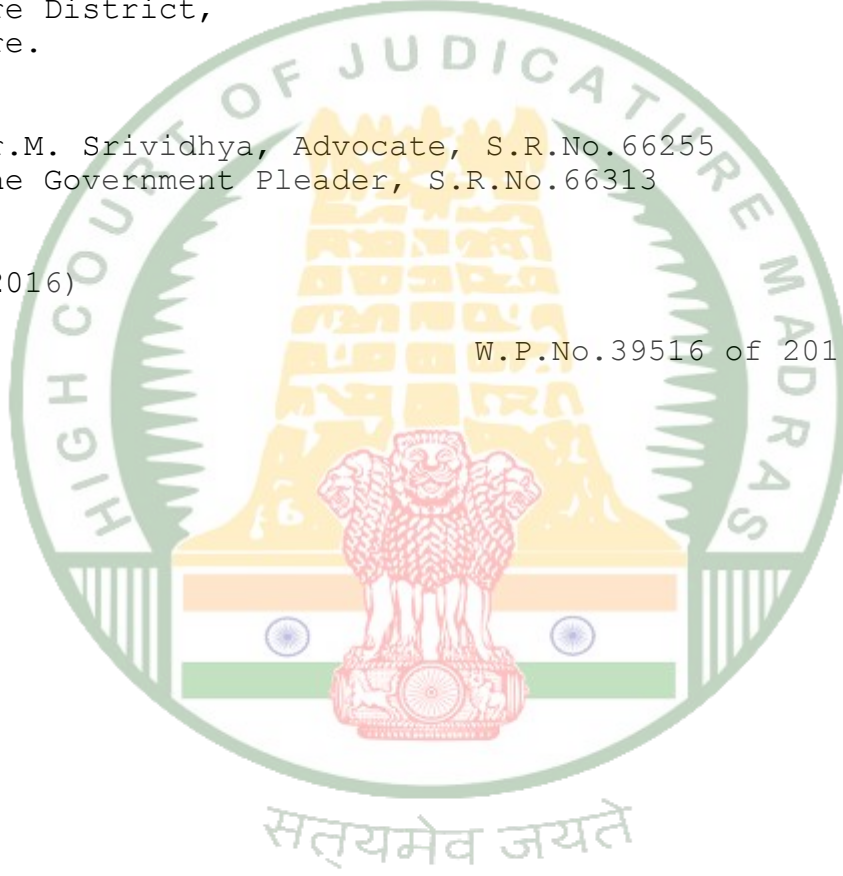
2.The Director of School Education,
College Road, Chennai-6.

3.The District Educational Officer,
Vellore District,
Vellore.

+lcc to Mr.M. Srividhya, Advocate, S.R.No.66255
+lcc to the Government Pleader, S.R.No.66313

lrs(CO)
md(01/12/2016)

W.P.No.39516 of 2016



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