

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.43 of 2016

K.Chidambaram

... Petitioner

Vs.

1. Government of Tamil Nadu,
Rep. By the Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.
 2. The Director of Elementary Education,
College Road, Chennai - 600 006.
 3. The District Elementary Educational Officer,
Trichy District.
 4. The Additional Assistant Elementary
Educational Officer,
Musiri, Trichy District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus to direct the respondents 1 and 2 to consider the representation dated 05.07.2014 of the petitioner and to pass further orders.

For Petitioner :Mr.P.Ganesan

For Respondents :Mr.A.Kumar, Special Govt. Pleader

ORDER

Seeking to fix the scale of pay as per the order passed by the Government in G.O.Ms.No.234, Finance Department, dated 01.06.2009 and in the light of the Government letter No.63305/Pay Cell/2010-1, dated 08.11.2010, the petitioner made a representation dated 05.07.2014 before the respondents 1 and 2. However, on its non-consideration, the petitioner has filed the present writ petition.

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

3. It is seen that the petitioner was conferred with the selection grade on 21.07.1998 upon completion of ten years of service in the cadre of Secondary Grade Assistant. Thereafter, he was promoted to the post of Headmaster of Elementary Education on 18.06.2001 and after five years, he was again promoted to the post of B.T. Assistant on 27.11.2006. Again, on 02.06.2008, he was conferred with the promotion to the post of Headmaster of Middle School and at present, he is drawing the scale of pay of Rs.9300-34800+4700 (GP).

4. Whiles, it is the contention of the learned counsel for the petitioner that by applying the G.O.Ms.No.234, Finance Department, dated 01.06.2009, and the Government letter No.63305/Pay Cell/2010-1, dated 08.11.2010, the respondents ought to have fixed the scale of pay of Rs.15600-39100+5400(GP). It is further submitted that similarly placed persons like the petitioner were granted with the revised scale of pay as per the G.O.Ms.No.234, Finance Department, dated 01.06.2009, by the respondent department. Thus, by mentioning all these facts, the petitioner made a representation dated 05.07.2014 before the respondents 1 and 2 and the same is pending now.

5. Taking note of the pendency of the representation, this Court directs the respondents 1 and 2 to dispose of the representation dated 05.07.2014 of the petitioner on merits and in accordance with law and also by taking note of the aforesaid facts of the case. Such exercise shall be done by the respondents 1 and 2 within a period of four weeks from the date of receipt of a copy of this order. With this direction, the writ petition stands disposed of. No Costs.

rkm

s/d-

Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.
2. The Director of Elementary Education,
College Road, Chennai - 600 006.
3. The District Elementary Educational Officer,
Trichy District.

4. The Additional Assistant Elementary
Educational Officer,
Musiri, Trichy District.

+ 1 cc to M/s.B.Balavijan, Advocate SR 7129

+ 1 cc to Govt.Pleader High Court, Madras SR 7219

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