

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.12.2016

Coram

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.43319 of 2016

1. N.Chinnasamy
2. Lakshmipalani
3. P.Panchavarnam
4. A.Malaichamy

... Petitioners

-Vs-

1. The State of Tamilnadu rep. by its
Secretary, School Education Department,
Fort St.George,
Chennai - 600 009.
2. The Principal Accountant General (A&E)
Anna Salai,
Chennai - 600 006.
3. The Assistant Elementary Educational Officer,
Natham,
Dindigul District.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 04.01.2016 to extend the petitioners' name in respect of G.O.Ms.No.179, School Education department dated 06.09.2013 and pay the benefits within a reasonable period.

For Petitioners: Ms.M.Kavitha

For Respondents: Mr.R.A.S.Senthilvel,
Addl.Govt.Pleader for R1 and R3
Mr.V.Vijayashankar
Standing Counsel for R2

O R D E R

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

2. Mr.R.A.S.Senthilvel, learned Additional Government Pleader, accepts notice on behalf of 1st and 3rd respondents and Mr.V.Vijayashankar learned Standing Counsel, accepts notice on behalf of the 2nd respondent.

3. Ms.M.Kavitha, learned counsel appearing for the petitioners has drawn the attention of the Court to the affidavit as well as the typed set filed in support of this writ petition and would submit that in paragraph No.2 of the affidavit, it is stated that all the petitioners have retired from service on 31.03.2003, 30.04.1999, 31.08.2010 and 24.09.2006 respectively and in the light of G.O.Ms.No.179, School Education Department dated 06.09.2013, they are entitled to the benefit of Special Grade Scale of pay on par with the Primary School Headmaster and revision of pay and connected pension and also arrears and in this regard, they have submitted a representation dated 04.01.2016 to the respondents and inspite of receipt of the acknowledgement, they are yet to be favoured with any kind of response. Therefore, they were constrained to file this writ petition.

5. This Court, heard the submission of Mr.R.A.S.Senthilvel, learned Additional Government Pleader appearing for 1st and 3rd respondents and Mr.V.Vijayashankar, learned Standing Counsel appearing for the 2nd respondent.

6. Though the petitioners have prayed for a larger relief, this Court, in the light of the above facts and circumstances, without going into the merits of the claim projected by the petitioners either in the representation or in the writ petition, directs the 1st respondent to consider and dispose of the petitioners' representation dated 04.01.2016 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioners. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsi

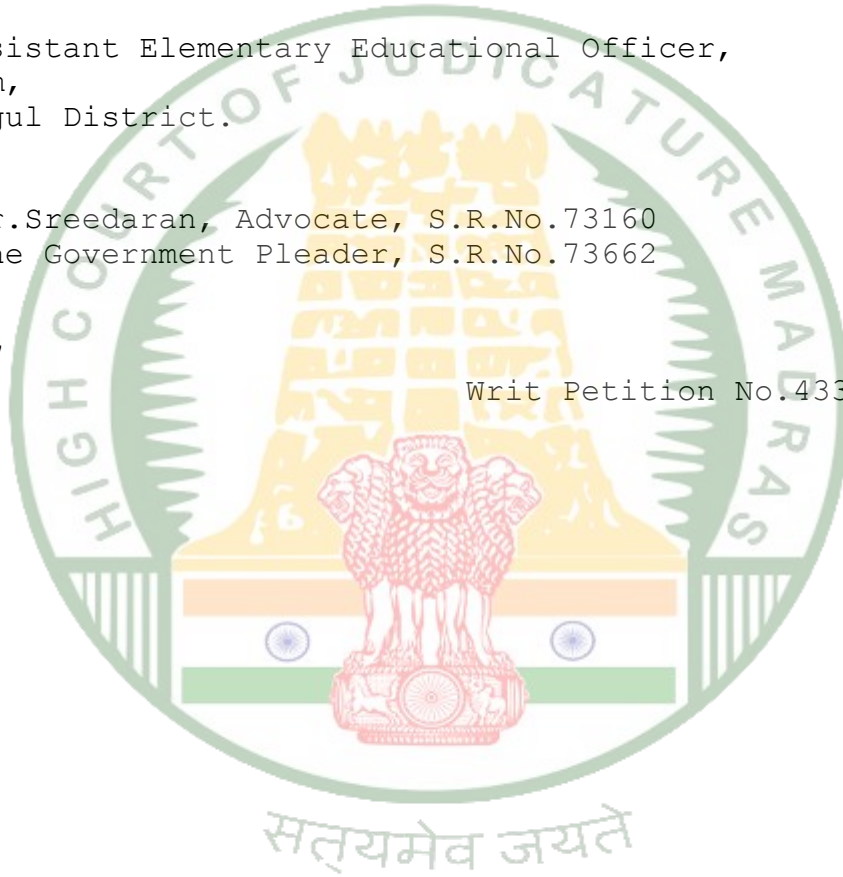
To

1. The Secretary,
School Education Department,
Fort St.George,
Chennai - 600 009.
2. The Principal Accountant General (A&E)
Anna Salai,
Chennai - 600 006.
3. The Assistant Elementary Educational Officer,
Natham,
Dindigul District.

+lcc to Mr.Sreedaran, Advocate, S.R.No.73160
+lcc to the Government Pleader, S.R.No.73662

MG(CO)
EU 19.1.17

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