

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.876 of 2016

K.C.Chockalingam

..Petitioner

Vs.

1. The Government of Tamil Nadu
Rep by its Secretary to Government
School Education Department,
Fort St. George, Chennai 9.
 2. The Director of School Education,
College Road, Chennai-6.
 3. The Chief Educational Officer,
Vellore, Vellore District.
 4. The Head Master,
Government Higher Secondary School,
Nellorepettai, Gudiyatham,
Vellore District.
- ..Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 1st Respondent to pay the Grade Pay Arrears from 1.1.1996 to 30.04.2004 as per the Petitioner's representation dated 17.05.2015.

For Petitioner : Mr.M.Thamizhavel

For Respondents : Mr.S.Gunasekar
Government Advocate

ORDER

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

2.The petitioner has filed this writ petition seeking a direction to the first respondent to pay the Grade Pay Arrears

from 01.01.1996 to 30.04.2004 by considering his representation dated 17.05.2015.

3. According to the petitioner, he was appointed as Physical Education Teacher in Government Higher Secondary School, Nellorepettai, Gudiyatham, Vellore District on 08.12.1970 and his pay scale was fixed at Rs.210-5-240-10-325. Thereafter, he was awarded selection grade on 08.12.1980 in the scale of pay of Rs.400-15-490-20-650-25-700 and special grade on 08.12.1990 in the scale of pay of Rs.1640-60-2600-75-2900 and he retired from service on 30.04.2004.

4. It is the further case of the petitioner that the Ministry of Personnel, PG and Pensions, Government of India, has issued an office Memorandum dated 28.01.2013 to count the grade pay for the pension purpose and the various state Governments had also implemented the same. However, the Government of Tamil Nadu has failed to give effect to the same and as a consequence, the persons like that of the petitioner are losing monetary benefits ranging between Rs.800/- and Rs.1400/- per month. Hence, the petitioner made a representation dated 17.05.2015 to the first respondent seeking grade pay arrears and the same is yet to be disposed of, which compelled the petitioner to approach this Court with the present writ petition.

5. Heard Mr.M.Thamizhavel, learned counsel for the petitioner and Mr.S.Gunasekar, learned Government Advocate who took notice for the respondents.

6. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 17.05.2015 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

rk

Sd/-

Asst.Registrar

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/true copy/

Sub Asst. Registrar

To

1. The Secretary to Government
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+ 1 CC TO THE GOVT. PLEADER, SR 2237

KR/23/2/16

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