



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2016

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Writ Petition(MD)No.11858 of 2015

1.A.Sahaya Diraviam
2.M.Julie Christie
3.A.Devadas
4.R.Samayadurai
5.V.Kannan
6.R.Sakthivel
7.A.Vimal

...Petitioners

Vs.

1. The State of Tamil Nadu,
rep. By the Principal Secretary,
Finance (Pay Cell) Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
2. The Secretary,
Department of Finance,
Secretariat,
Fort St. George,
Chennai - 600 009.
3. The Secretary,
Department of School Education,
Secretariat, St.George Fort, Chennai - 9
4. The Director,
Department of Primary School Education,
College Road, Chennai - 6.

...Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the Respondents to extend the benefit of Personal pay to the petitioners with effect from 01.01.2011 instead of 01.01.2011 and to grant Rupees 750/- towards Personal Pay as per G.O. Ms. No. 23 Finance (Pay Cell) Department dated 12.01.2011 issued by the Respondent No.1 by



considering the representation sent by the Petitioners dated 06.06.2015 within the time stipulated by this Court.

For Petitioners

: Mr.T.Lajapathy Roy

For Respondents

: Mr.J.Gunaseelanmuthiah

Govt. Advocate

O R D E R

The petitioners seek for issuance of a Writ of Mandamus directing the respondents to extend the benefit of Personal pay to them with effect from 01.01.2006 instead of 01.01.2011 and to grant Rs.750/- towards Personal Pay, as per G.O.Ms.No.23, Finance (Pay Cell) Department, dated 12.01.2011, issued by the first respondent, by considering their representation, dated 06.06.2015 within a stipulated time.

2. The petitioner states that they were appointed as Secondary Grade Teachers on various dates and subsequently, promoted as Headmaster and P.T Assistants in different schools. The first respondent appears to have passed G.O.Ms.No.23, Finance (Pay Cell) Department, dated 12.01.2011 and by virtue of the said G.O., revised pay scales, were extended to Headmasters and P.G Assistants with effect from 01.01.2006 notionally and with monetary benefits with effect from 01.01.2011. Though the petitioners are entitled to same benefit, which are conferred as per G.O.Ms.No.23, Finance (Pay Cell) Department, dated 12.01.2011, the Government granted benefit of personal pay only with effect from 01.01.2011 instead of 01.01.2006. Hence, the petitioners sent representation and are now constrained to file the present writ petition as it is not considered by respondents 1 to 4.

3. The respondents have not filed any counter.

4. Having regard to the material facts placed before this Court and the contention of the petitioners in the affidavit filed in support of this petition, this Court is inclined to pass the following order:-

"The third respondent is directed to consider the petitioners' representation dated 06.06.2015, on merits and accordance with law in terms of G.O.Ms.No.23, Finance (Pay Cell) Department, dated 12.01.2011, after hearing the petitioners, within a period of six weeks from the date of receipt of a copy of this order."



With the above direction, this writ petition is disposed of.
No order as to costs.

Sd/-

Assistant Registrar (AE)

WEB COPY

/True Copy/

Sub Assistant Registrar

To

1. Principal Secretary,
Finance (Pay Cell) Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
2. The Secretary,
Department of Finance,
Secretariat,
Fort St. George,
Chennai - 600 009.
3. The Secretary,
Department of School Education,
Secretariat, St. George Fort, Chennai - 9
4. The Director,
Department of Primary School Education,
College Road, Chennai - 6.

+1cc to M/S.T.Lajapathi Roy, Advocate, SR.No.41812

Writ Petition (MD) No.11858 of 2015

03.08.2016

skn

SD/DB/23.08.2016/3P/6C