



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.21651 of 2016

and

W.M.P (MD) No.15496 of 2016

S.Simhachalam

... Petitioner

vs.

1)The Government of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St.George, Secretariat,
Chennai-600 009.

2)The Director of Elementary Education,
D.P.I. Campus, College Road,
Nungambakkam,
Chennai-600 006.

3)The District Educational Officer,
Nagercoil,
Kanyakumari District.

4)The District Elementary Educational Officer,
Nagercoil,
Kanyakumari District.

5)The Accountant General,
(Accounts & Entitlements)
No.259, Anna Salai,
Block No.3, 2nd Floor,
D.M.S. Compound,
Chennai-600 018.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to sanction Selection Grade pay on and from December 1989 and sanction Special Grade pay on and from December 1999 as per G.O.Ms.No.210, School Education Department, dated 14.08.2009 and as per the representation of the petitioner dated 07.12.2009 and 01.04.2015 within a time fixed by this Court.



For Petitioner : Ms.J.Anandhavalli
For R1 to R4 : Mr.T.S.Mohammed Mohideen
Additional Government Pleader
For R5 : Mr.P.Gunasekaran

WEB COPY

ORDER

This Writ of Mandamus has been filed seeking for a direction to the respondents to sanction Selection Grade pay on and from December 1989 and Special Grade pay on and from December 1999, as per G.O.Ms.No.210, School Education Department, dated 14.08.2009 and as per the representations of the petitioner dated 07.12.2009 and 01.04.2015.

2.The background facts leading to the filing of this writ petition runs as under:-

The petitioner was selected by the Tamil Nadu Public Service Commission and appointed as Junior Assistant in School Education Department under the Tamil Nadu Ministerial Services. Subsequently, he was appointed on regular basis as Junior Assistant in Government High School, Kurathiyarai, Kanyakumari District. The petitioner completed B.Ed., degree in Madras University during 1978 and he was appointed as B.T. Assistant in Government High School, Ambalamoola, on 04.12.1979. Thereafter, on 30.03.1988, he was promoted as Headmaster and posted at Government Middle School, Malkarai. He retired from service on 31.05.2009. It is the case of the petitioner that his services should be taken into account from 04.12.1979 instead of 30.03.1988 and therefor, he made representations to the respondents starting from the year 2009 to till date, the last of which is dated 01.04.2015. As there was no response to his representations, he has filed this writ petition.

3.The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that it is agreeable for the 2nd respondent to consider the representation of the petitioner dated 01.04.2015 and to pass orders.

4.Recording the above submission, this Writ Petition is disposed of directing the 2nd respondent to consider the representation of the petitioner dated 01.04.2015 and to pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, W.M.P(MD)No.15496 of 2016 is closed.

sd/-
Assistant Registrar (CO)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar



nbi

To

1) The Secretary,
Government of Tamil Nadu,
Department of School Education,
Fort St. George, Secretariat,
Chennai-600 009.

2) The Director of Elementary Education,
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+1CC to Spl.Government Pleader Sr.No.68303

+1CC to M/S.J.Anandhavalli, Advocate Sr.No.67985

+1CC to Mr.P.Gunasekaran Advocate Sr.No.68576

GJM/DB/30.11.16-3p-9C

W.P (MD) No.21651 of 2016
11.11.2016