

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.11712 of 2016

V.J.Malleeswari

..Petitioner

Vs

1.The Director of Elementary Education
College Road
Chennai 600 006.

2.The District Educational Officer
Tiruvallur District
Tiruvallur 602 001.

3.The District Collector
Tiruvallur District
Tiruvallur 602 001.

4.The Assistant Educational Officer
Tiruttani 631 209.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to consider the petitioner's representation dated 17.03.2014 and 30.03.2014 and consequentially pay the petitioner the entire arrears amount payable to her on her retirement on 31.12.2008 from the service by fixing a time limit.

For Petitioner : Mr.S.Subramanian

For Respondents: Mr.S.Gunasekaran
Additional Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondent to consider the representation submitted by the writ petitioner on 17.03.2014 and 30.03.2014 and in respect of the claim of the writ petitioner for arrears of refund of pay and arrears thereon.

2. The learned Senior Counsel appearing on behalf of the writ petitioner made a submission that the writ petitioner was working as Pre-Vocational Instructor-Teacher at Government High School, Amirthapuram, Tiruttani and retired from service on 31.12.2008, on attaining the age of superannuation. However, it is stated that the revised scale of pay implemented by the State pursuant to the VI Pay Commission recommendation has not been extended to the writ petitioner.

3. Thus, it is claimed that there is an anomaly in respect of fixation of revision of pay as applicable to the writ petitioner. The Assistant Elementary Educational Officer, Tiruttani, sent a proposal to the Director of Elementary Education, Chennai, in proceedings dated 08.07.2014, in respect of the revision of pay of the writ petitioner. Further, the communication issued by the Assistant Elementary Educational Officer, Tiruttani, in proceedings dated 28.02.2016, also states that the representation submitted by the writ petitioner, in respect of redressal of grievances was forwarded to the Director of Elementary Education for further, consideration. In spite of this, no final decision has been taken to redress the grievances set out by the writ petitioner in his representation.

4. Thus, without going into the merits of the matter, the first respondent is directed to consider the representation submitted by the writ petitioner on 17.03.2014 and 30.03.2014 and pass 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. The writ petitioner is directed to enclose the copy of the representation along with the order passed in this writ petition.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

dna

To

1.The Director of Elementary Education
College Road
Chennai 600 006.

2.The District Educational Officer
Tiruvallur District
Tiruvallur 602 001.

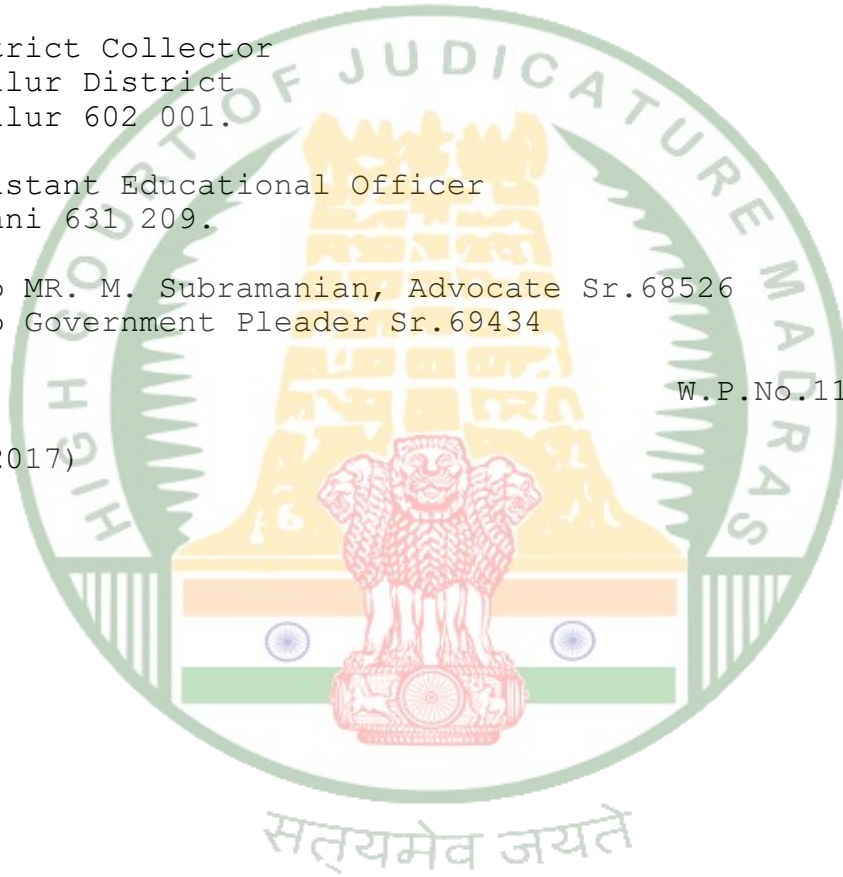
3.The District Collector
Tiruvallur District
Tiruvallur 602 001.

4.The Assistant Educational Officer
Tiruttani 631 209.

+ 1 cc to MR. M. Subramanian, Advocate Sr.68526
+ 1 cc to Government Pleader Sr.69434

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SR(CO)
EU(31/10/2017)



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