

IN THE HIGH COURT JUDICATURE AT MADRAS

DATED : 16.02.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.3869 of 2017

S.Gunasekaran

.. Petitioner

Vs

1.The District Elementary Educational Officer,
Cuddalore.

2.The Assistant Elementary Educational Officer,
Kammapuram,
Virudachalam Taluk.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 05.11.2016 made to revise the petitioner's scale of pay as per the calculation made by the 2nd respondent and to pay all monetary benefits within a time frame fixed by this Court.

For Petitioner : Mr.R.Kamaraj

For Respondents : Mr.V.Anandamoorthy,
Additional Government Pleader
(Edn.)

ORDER

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

2. The petitioner was appointed as a part time Agriculture Teacher (Handicraft) in Killivalavan Middle (Aided) School, Siruvarappur on 02.03.1968 and it is a recognised school and also receive aid from the Government of Tamil Nadu. The petitioner, by virtue of long and continuous period of service, repeatedly submitted representations praying for regularisation of his service and conferment of other consequential benefits. It is further averred by the petitioner that the Government of Tamil Nadu has passed series of orders in G.O.Ms.Nos, 555, 666,

162, 278 and 106 dated 10.06.1985, 27.06.1986, 13.04.1998, 16.06.2000 and 7.2.2006 respectively to raise the salary of the part-time (Handicraft) Teachers and also re-fix the salary and pay arrears and monetary benefits. It is also averred by the petitioner that the 2nd respondent by his proceedings dated 10.07.2015 in Na.Ka.No.968/A1/2014, forwarded a recommendation for fixation of time scale pay, revision of salary and also the payment of arrears to the petitioner and it was returned by the 1st respondent in letter No. O.Mu.No.5266/A7/2014 dated 07.09.2015 seeking certain particulars.

3. The learned Counsel appearing for the petitioner submitted that the required particulars have also been furnished and since no orders have been passed, the petitioner has also submitted a representation dated 05.11.2016 to the respondents 1 and 2. Though it was received and acknowledged, orders are yet to be passed. Therefore, the petitioner is constrained to approach this Court by filing the present Writ Petition.

4. Heard Mr.R.Kamaraj, learned Counsel appearing for the petitioner and Mr.V.Anandamoorthy, learned Additional Government Pleader appearing for the respondents.

5. Though the Writ Petitioner has sought for a larger prayer, in the light of the facts and circumstances of the case, without going into the merits of the case as projected by the petitioner, directs the respondents 1 and 2 to consider and dispose of the petitioner's representation made on 05.11.2016 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this Order and communicate the decision taken to the writ petitioner.

6. The Writ Petition is disposed of accordingly. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

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Sub Assistant Registrar

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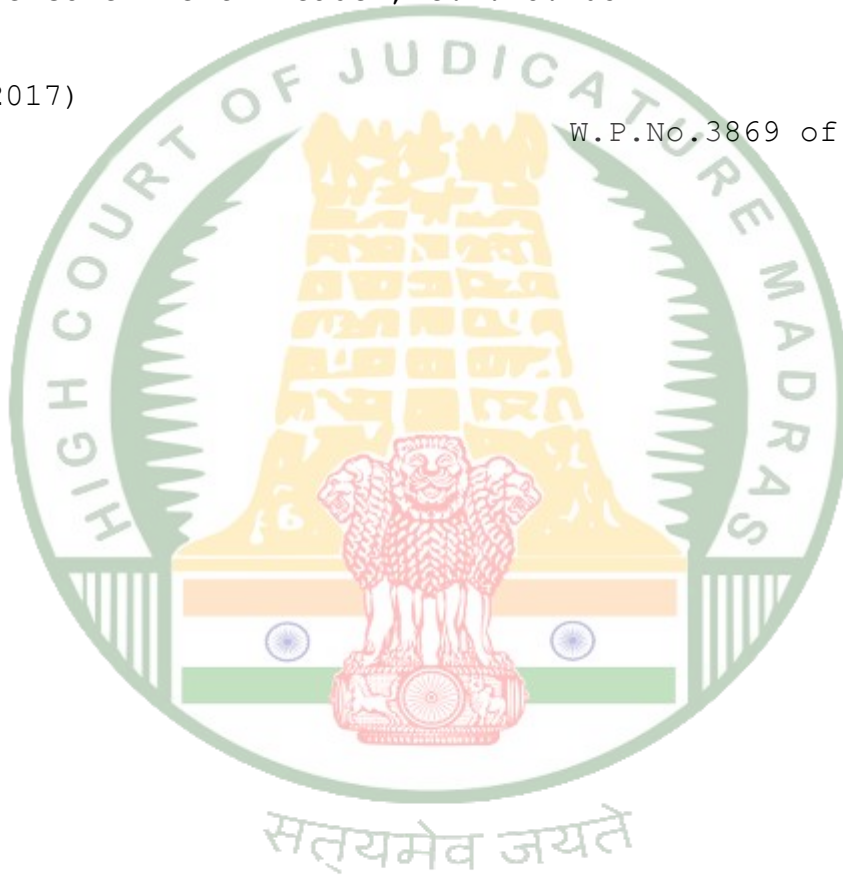
To

1. The District Elementary Educational Officer,
Cuddalore.
2. The Assistant Elementary Educational Officer,
Kammapuram,
Virudachalam Taluk.

+1cc to Mr.Kamaraj, Advocate, S.R.No.10279
+1cc to the Government Pleader, S.R.No.10314

NRI (CO)
RS (08/03/2017)

W.P.No.3869 of 2017



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