

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2017

CORAM :

THE HONOURABLE Mr.JUSTICE T.RAJA

W.P.No.28291 of 2017

A.Mahabub Basha

... Petitioner

Vs.

- 1.The Director,
Office of the Director of Higher Secondary
School Education,
DPI Complex, College Road,
Chennai-600 006.
 - 2.The Principal,
Justice Basheer Ahmed Sayeed,
Memorial Matriculation Higher Secondary Boys' School,
No.310, New No.56, K.B.Dasan Road,
Teynampet, Chennai-600 018.
 - 3.The Principal,
Justice Basheer Ahmed College for Women,
Old No.310, New No.56, K.B.Dasan Road,
Teynampet, Chennai-600 018.
 - 4.The Southern India Educational Trust
rep. by its Secretary,
Old No.310, New No.56, K.B.Dasan Road,
Teynampet, Chennai-600 018.
- ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 27.09.2017 pertaining to the petitioner scale of pay.

For Petitioner : Mr.G.Mohanarangan

For Respondents : Mr.R.A.s.Senthilvel, AGP (For R1)

ORDER

Mr.R.A.S.Senthilvel, learned Additional Government Pleader, took notice for the 1st respondent.

2.The petitioner has come forward with the present writ petition praying to direct the respondents to consider his representation dated 27.09.2017 pertaining to his scale of pay.

3.It is stated that the petitioner was served with a proceeding in Ref.No.3055/11, dated 25.07.2011, revising/reducing his scale of pay from Rs.11000-300-17000 to Rs.10200-25-15200, on the ground that his scale of pay was inadvertently moved to the higher scale of pay of Rs.11000-300-17000, admissible for Senior Assistant, who have completed 15 years of service. As such, the order of recovery of overdrawn pay and allowance has been issued to the petitioner. As the said proceeding was issued to the petitioner without even giving any prior notice, he has given representations to the respondents objecting the recovery and also to reconsider his case. But, the petitioner was also orally informed that his representation would be considered by a committee formulated for framing of policy for uniformity in promotion etc. However, it is the grievance of the petitioner that the respondents 2 & 4 having not given any answer for recovery of overdrawn pay and allowance from his salary. Finally, he has given a representation on 27.09.20017 to the 1st respondent seeking to revise his scale of pay, but the same was not considered. Therefore, he has come to the Court to direct the 1st respondent to consider his representation dated 27.09.2017.

4.The learned Additional Government Advocate sought for four weeks time to consider the representation of the petitioner.

5.Admittedly, the petitioner has not challenged the recovery order. However, he feels satisfied, if his representation is considered. Considering the facts and circumstances and the statement of the learned Additional Government Advocate, this Court directs the 1st respondent to consider the representation of the petitioner dated 27.09.2017 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks, from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

SSV

To

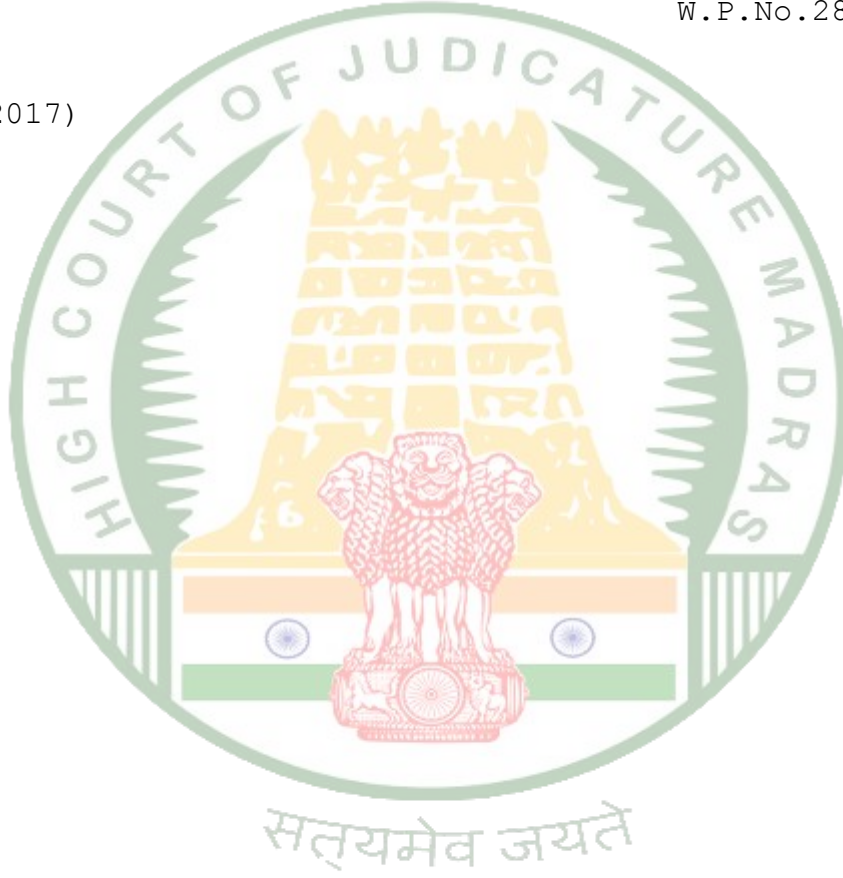
1.The Director,
Office of the Director of Higher Secondary
School Education,
DPI Complex, College Road,
Chennai-600 006.

+1cc to the Government Pleader, S.R.No. 78575

+1cc to Mr.G.Mohanarangan Advocate, S.R.No.84586(05/12/2017)

W.P.No.28291 of 2017

TR(30/11/2017)



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