

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.1911 of 2017

K.Narayanasamy

.. Petitioner

vs.

1.The Director of School Education,
D.P.I.Camus,
Chennai - 600 006.

2.The District Elementary Educational Officer,
District Primary Educational Office,
Dharmapuri, Dharmapuri District.

3.The Assistant Elementary Educational Officer,
Karimangalam Panchayat Union,
Karimangalam,
Dharmapuri District.

4.B.Kamalanathan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider and dispose of the petitioner's representation dated 26.5.2015 for fixing the Basic Pay for the petitioner at par with the fourth respondent w.e.f.29.5.2012.

For petitioner : Mr.A.Ilaya Perumal
For respondents 1 to 3 : Mr.K.Dhananjayan,
Special Government Pleader

For 4th respondent : No appearance

ORDER

The petitioner has filed the present Writ Petition for the relief stated above.

2. According to the petitioner, he was appointed as Secondary Grade Teacher from 15.11.1999 and thereafter, he moved to Selection Grade on 17.11.2000. At present, the petitioner is working at Kumbarahalli Panchayat Union Middle School, Karimangalam Panchayat Union, Dharmapuri District from 1.10.2014 and his Basic Pay is Rs.21,030/-. The fourth respondent herein was appointed as Secondary Grade Teacher on 27.8.2001. Thereafter, he moved to Selection Grade Teacher on 22.9.2011 and now, he is working at Chennampatti Middle School. The fourth

respondent is junior to the petitioner but getting the Basic pay of Rs.22,520/-, which is more than that of the petitioner i.e. Rs.21,030/-. The third respondent also recommended that the petitioner should get the Basic Pay on par with the fourth respondent. Subsequent to this, the petitioner has given representation dated 26.5.2015 to the second and third respondents requesting them to fix the scale of pay on par with the fourth respondent w.e.f. 29.5.2012 on which date the fourth respondent got an incentive increment by virtue of acquiring M.A. Qualification. As there was no response for the representation of the petitioner dated 26.5.2015, the present Writ Petition has been filed.

3. Considering the nature and limited scope of the prayer made, without going into the merits of the matter, this Court directs the second respondent to consider and dispose of the representation of the petitioner dated 26.5.2015 on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar

/true copy/
Sub Asst. Registrar

To

1.The Director of School Education,
D.P.I.Camus,
Chennai - 600 006.

2.The District Elementary Educational Officer,
District Primary Educational Office,
Dharmapuri, Dharmapuri District.

3.The Assistant Elementary Educational Officer,
Karimangalam Panchayat Union,
Karimangalam,
Dharmapuri District.

+1cc to Govt. Pleader, SR. NO. 5397

+1cc to Mr. A. Ilayaperumal, Advocate, Sr. 5199 (20/02/2017)

W.P.No.1911 of 2017

NR(CO)
VR(17/02/2017)