

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.11.2017

CORAM

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

W.P.No.27376 of 2013

C.Stephen

..Petitioner

vs

1.The Government of Tamil Nadu, rep. by
Principal Secretary to the Government,
School Education Department, Fort St.George,
Chennai - 600 009.

2.The District Elementary Educational Officer,
Nagercoil, Kanyakumari District. .. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the first respondent to issue orders extending the
benefits of the order of this Hon'ble Court in W.P.No.8368/2008
dated 10.11.2009 and the order of the first respondent in G.O.
(3-D) No.41, School Education (G2) Department dated 27.03.2012
and fix the Petitioner's pay in the scale of pay applicable to
the post of Primary School Headmaster for the period of service
rendered by him in the said post from 02.09.1996 to 31.08.1998
and grant all consequential benefits to the Petitioner.

For Petitioner : P.Manoj Kumar

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

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O R D E R

The relief sought for in this writ petition is for a
direction to the respondents to issue orders extending the
benefit of the order of this Court in W.P.No.8368 of 2008 dated
10.11.2009 and the order of the 1st respondent in G.O.(3D).No.4,
School Education(G2) Department dated 27.03.2012 and fix the
scale of pay of the petitioner as applicable to the post of
Primary School Headmaster for the period of service rendered by
the petitioner in the post from 02.09.1996 to 31.08.1998.

2.The learned counsel appearing on behalf of the respondents made a submission that the revision of pay has already been implemented in this regard and therefore, the claim of the writ petitioner cannot be considered at this point of time. However, the learned counsel for the writ petitioner states that the claim was relating to the year 1996 to 1998 and the respondents have to consider the claim of the petitioner in the light of the Government orders in this regard.

3.Thus, without going into the merits of the matter, the 1st respondent is directed to consider the representation submitted by the writ petitioner on 09.01.2013 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is also directed to enclose the copy of the representation and the documents along with the orders passed in this writ petition.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.Principal Secretary to the Government,
The Government of Tamil Nadu,
School Education Department, Fort St.George,
Chennai - 600 009.

2.The District Elementary Educational Officer,
Nagercoil, Kanyakumari District.

+1cc to Mr.P.Rajendran, Advocate, S.R.No.80701

+1cc to the Government Pleader, S.R.No.80917

W.P.No.27376 of 2013

MP (CO)

RRK (06/12/2017)