

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2018

CORAM
THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.30857 of 2018

M.Zakirhussain

...Petitioner

Vs

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

2.The Director,
Department of Public Library,
737/1, Anna Salai, Chennai-2

3.The District Library Officer,
Dharmapuri District,
Dharmapuri-636701

....Respondents

For Petitioner : M/s.V.Vijaykumar

For Respondents: Mrs.P.Kavitha,
Government Advocate (Education)

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to consider the Petitioner's representation dated 26.12.2017 for correcting the incentive amount which is equal to two increment i.e, Rs.540/- (instead of Rs.270/-) in the Petitioner's salary and provided the same with arrears from 02.07.2010 within a stipulated period of time.

ORDER

This writ petition is filed seeking direction to the respondents to consider the petitioner's representation dated 26.12.2017 seeking modification in the amount sanctioned for incentive increment

2. The petitioner is a M.L.I.S. Graduate and he joined into the service as "Librarian (Grade-III) at Thenkaraikottai branch library on 26.10.2006 on a salary of Rs.5200/- + Rs.2000/- scale. By G.O.Ms.No.1184 dated 01.09.1989, the Government

accepted the recommendations of the Fifth Tamil Nadu Pay Commission and sanctioned one incentive increment for the acquisition of the qualification of Masters Degree in Library Science (M.L.I.S)., by librarians of Grade I to IV levels in local library authorities and Connemara Public Library, with immediate effect. As per the said G.O., one incentive increment meant two increments. However, the petitioner was provided with only one increment of Rs.270/-. Hence, the petitioner submitted a representation to the respondents dated 23.12.2017 in this regard, which has not been considered till date, which has forced the petitioner to file the present writ petition.

3. Ms.P.Kavitha, learned Government Advocate (Education) takes notice for the respondents. Heard the learned counsel appearing on either side and perused the materials available on record.

4. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would suffice to direct the respondents to consider the representation submitted by the petitioner on 23.12.2017 and pass orders on the same within a particular time frame.

5. In the above circumstances, this writ petition is disposed of directing the third respondent to consider the representation of the petitioner dated 23.12.2017 and pass orders thereon, in accordance with law especially in the light of G.O.Ms.No.1184 dated 01.09.1989, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KST

To

1.The Secretary to the Government of Tamilnadu,
School Education Department,
Secretariat, Fort St. George, Chennai-600 009.

2.The Director,
Department of Pulic Library,
737/1, Anna Salai, Chennai-2

3.The District Library Officer,
Dharmapuri District,
Dharmapuri-636701

+1cc to Mr.V.Vijayakumar, Advocate, S.R.No.80033

W.P.No.30857 of 2018

AD(CO)

rrs 21/12/2018



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