

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.12.2018

CORAM
THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.31750 of 2018 and W.M.P.No.36970 of 2018

1.N.Inbakkani
2.R.V.Palanisamy
3.D.Arul Jothi
4.T.Rajendran
5.A.Venkatachalam
6.Deva Sudha
7.M.Thirumoorthi
8.S.M.Ganesan
9.S.Mathew

....Petitioner

Vs

1.The State of Tamil Nadu
rep.by its Principal Secretary to Government
Finance Department, Secretariat, Fort St.George
Chennai 600 009.
2.The State of Tamil Nadu
rep.by its Principal Secretary to Government
Finance Department, Secretariat, Fort St.George
Chennai 600 009.
3.The Director of Elementary Education, DPI Campus
College Road, Chennai 600 006.
4.The District Elementary Educational Officer
Tiruppur, Tiruppur District.
5.The District Elementary Educational Officer
Coimbatore, Coimbatore District.
6.The District Elementary Educational Officer
Tuticorin, Tuticorin District.

....Respondents

For Petitioner : Mr.G.Sankaran

For Respondent : Ms.P.Kavitha,
Government Advocate

Prayer : Writ Petition filed under Article 226 of the
Constitution of India seeking a writ of Mandamus directing the
respondents to pass orders to rectify the pay anomaly by fixing
the scale of pay for the petitioners working in the scale of pay

for the petitioners working in the post of middle school headmaster in PB III in the scale of pay of Rs.15,600-Rs.39,100 + 5400 GP with effect from the date of promotion as Middle school Headmaster with all consequential and other attendant benefits including arrears of salary along with interest on par with junior within a time frame to be fixed by this Court.

O R D E R

The petitioners, who were appointed as Secondary Grade Teachers in Elementary Education, were granted with Selection Grade in the post of Secondary Grade Teacher on completion of 10 years of service and subsequently were given promotion to the post of Primary School Headmaster and further promoted to the post of B.T.Assistant based on seniority and eligibility even prior to completion of 10 years of service in the post of Primary School Headmaster. They were further promoted as Middle School Headmaster, with a pay scale of PB II as per Tamil Nadu Revised Scale of Pay Rules 2009 from the date of promotion as Middle School Headmaster. The grievance of the petitioners is that in respect of primary school headmasters who reached selection grade up till 31.05.2009, were granted with fixation of pay in PB IV, whereas the petitioners, being given promotion to the post of Middle School Headmasters based on their eligibility and seniority, are denied fixation of scale of pay in PB IV with Rs.5400/- Grade Pay, which they would have otherwise availed, had they continued in the feeder post of Primary School Headmaster. Therefore, alleging serious discrepancy in the pay fixation, the petitioners approached the respondents for rectification of this pay anomaly by a representations on various dates, which were not considered by the respondents. Hence, the petitioners have filed the present writ petition seeking appropriate relief.

2. Ms.P.Kavitha, learned Government Advocate (Education) takes notice on behalf of the respondents and submits that the representations would be considered by the respondents as per the time frame fixed by this Court.

3. In the above circumstances, this writ petition is disposed of directing the respondents to consider the representations of the petitioner and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

KST

To

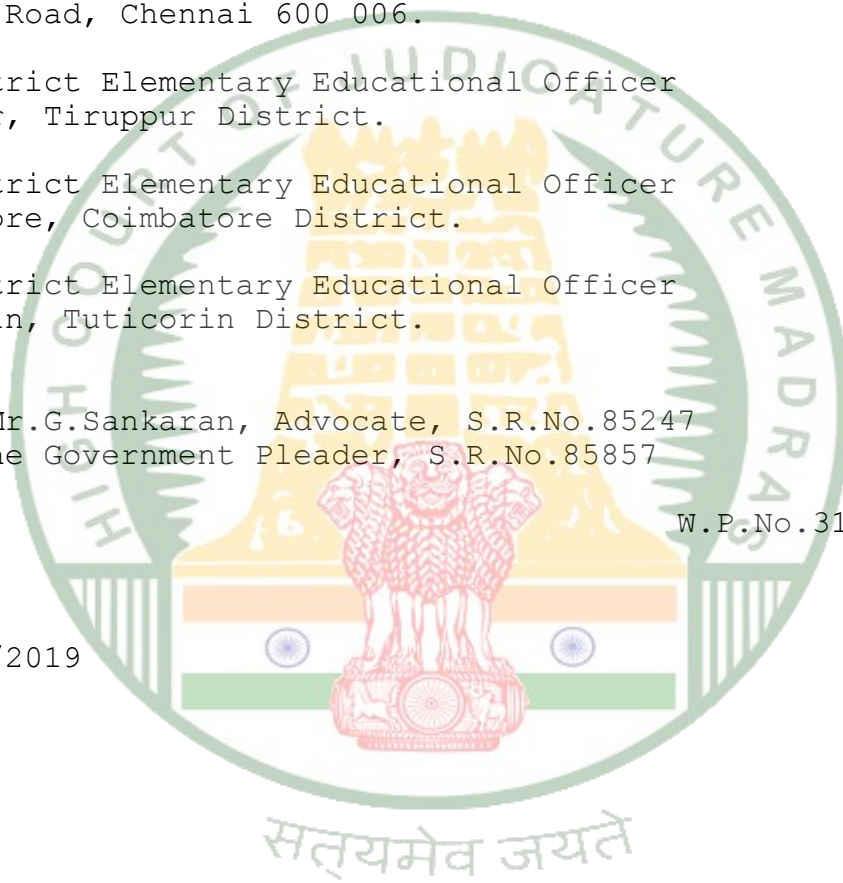
- 1.The Principal Secretary to Government
Finance Department, Secretariat, Fort St.George
Chennai 600 009.
- 2.The Principal Secretary to Government
School Education Department,
Secretariat, Fort St.George
Chennai 600 009.
- 3.The Director of Elementary Education, DPI Campus
College Road, Chennai 600 006.
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- 6.The District Elementary Educational Officer
Tuticorin, Tuticorin District.

+5ccs to Mr.G.Sankaran, Advocate, S.R.No.85247
+1cc to the Government Pleader, S.R.No.85857

W.P.No.31750 of 2018

SSI (CO)

rrs 08/01/2019



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