



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2018

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.8672 of 2018

WEB COPY

S.R.Malleswaran

: Petitioner

Vs.

1. The District Elementary Educational Officer,
Pudukottai District.

2. The Additional Assistant Elementary Educational Officer,
Thirumayam,
Pudukottai District.

3. The Headmaster,
Panchayat Union Primary School,
Nagarathupatti, Thirumayam Block,
Pudukottai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to consider and pass orders on the petitioner's final representation dated 03.03.2018 seeking to re-fix petitioner's pay scale based on the last pay-scale received by the petitioner as Secondary Grade Teacher in Hindu Middle School, Pannaipuram, Theni District.

For Petitioner : Mr.N.Vijayakumar

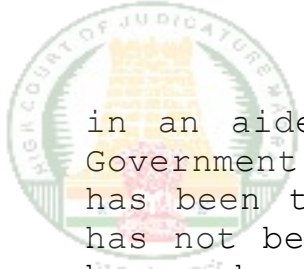
For Respondents : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents herein to consider and pass orders on the petitioner's final representation dated 03.03.2018 seeking to re-fix petitioner's pay scale based on the last pay-scale received by the petitioner as Secondary Grade Teacher in Hindu Middle School, Pannaipuram, Theni District.

2.Heard Mr.N.Vijayakumar, learned Counsel appearing for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the official respondents.

3.By consent, the writ petition is taken up for final disposal at the admission stage itself.



in an aided school and subsequently, he has been posted at the Government school. Though, his past service in the aided school has been taken into account for continuation of service, his pay has not been re-fixed. Therefore, in this regard, the petitioner has made very many representations and last such representation was made on 03.03.2018 and the same was forwarded by the third respondent school on 03.03.2018 itself to the second respondent and therefore, if a direction is given to the first respondent to that effect, the petitioner would be satisfied.

5.I have heard the learned Additional Government Pleader appearing for the official respondents in this regard, who would submit that it is for the first respondent to take a decision as to whether the petitioner is entitled to seek such a benefit or not and based on which, a decision will be taken on merits and an order to that effect shall be passed.

6.Considering the submissions made by the learned Counsel on both sides, this Court is inclined to pass the following direction:

6.1.The first respondent shall consider the representation of the petitioner dated 03.03.2018, as forwarded by the third respondent dated 03.03.2018, through the second respondent and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ petition stands disposed of. However, in the facts and circumstances of the case, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Elementary Educational Officer,
Pudukottai District.

2. The Additional Assistant Elementary Educational Officer,
Thirumayam,
Pudukottai District.

+1cc to Mr.E.V.N.SIVA,Advocate Sr.No.62581

+1cc to SPECIAL GOVERNMENT PLEADER, Sr.No.62480

Mr

MK/SV MMS/SAR 2/18.06.2018/2P/5C