



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM :

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P. (MD) No.17244 of 2018

and

W.M.P. (MD) No.15182 of 2018

P.Murugesan

... Petitioner

Vs.

1. The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.

2. The Joint Director (Personnel),
School Education Department,
DPI Campus, College Road,
Chennai-600 006.

3. The District Educational Officer,
Tiruenlveli,
Tirunelveli District.

4. The Block Educational Officer,
(Formerly Assistant Educational Officer),
Kariyapatti Post,
Virudhunagar District.

5. The Block Educational Officer,
(Formerly Assistant Educational Officer)m
Devakottai,
Sivagangai District.

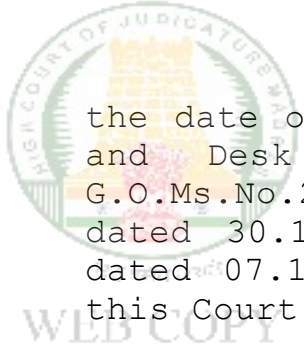
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to allow monetary benefits from the date of the petitioner's promotion as Assistant on 28.03.2002 and Desk Superintendent on 19.09.2013 in the light of G.O.Ms.No.203, Personnel and Administrative Reforms(S) Department, dated 30.10.2010 by considering the petitioner's representation dated 07.11.2017 and 24.01.2018 within the period stipulated by this Court.

For Petitioner : Mr.K.Ponnaiah

For Respondents : Mr.M.Murugan
Government Advocate

The prayer sought for herein is for a writ of mandamus, directing the respondents 1 and 2 to allow monetary benefits from



the date of the petitioner's promotion as Assistant on 28.03.2002 and Desk Superintendent on 19.09.2013 in the light of G.O.Ms.No.203, Personnel and Administrative Reforms(S) Department, dated 30.10.2010 by considering the petitioner's representation dated 07.11.2017 and 24.01.2018 within the period stipulated by this Court.

2.Heard Mr.K.Ponnaiah, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the respondents.

3.The petitioner retired as Superintendent in the respondent Department on 31.12.2015. His grievance is that the petitioner's pay from the date of 28.03.2002 in the post of Assistant and from the date of 19.09.2003 in the post of Superintendent has to be revised and accordingly, pensionary benefit has to be revised and to be paid. In this regard, the petitioner has given a representation dated 07.11.2017 and if the said representation is directed to be considered and order to that effect is directed to be passed, the petitioner would be satisfied.

4. I have heard Mr.M.Murugan, learned Government Advocate appearing for the respondents, who would submit that, the claim from 28.03.2002 may not be raised at this juncture, but any how, since the petitioner has given a representation, the same would be considered on merits and in accordance with law and an order to that effect, would be passed within a time frame.

5.Considering the said submission made by both sides and taking into account the limited scope of the writ petition, this Court is inclined to pass the following order:-

"that the first respondent is directed to consider the representation of the petitioner, dated 07.11.2017 and the reminder representation dated 24.01.2018 and pass orders thereon, on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order."

6.With this direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-III)



To

1. The Director of School Education,
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Kariyapatti Post,
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5. The Block Educational Officer,
(Formerly Assistant Educational Officer)m
Devakottai,
Sivagangai District.

+1cc to M/s.Ajmal Associates, Sr.No.76494
+1cc to Spl.Government Pleader Sr.No. 76794

RMI

VB/MMS/SAR3/11.08.2018/3P/8C

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