



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.01.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No19969 of 2014

K.Muthumari

... Petitioner

Vs.

1. The Director of Elementary School Education,
Chennai-600 006.
2. The District Elementary Educational Officer,
Ramanathapuram District @ Ramanathapuram.
3. The Assistant Elementary Educational Officer,
kamuthi Union, Kamuthi,
Ramanathapuram District.
4. Janet Jeyaguna
5. K.Backyalakshmi
6. Rukamani Devi
7. S.Vijayalakshmi
8. Mahaboob Rahumani

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records from the third respondent in his proceedings in ஓ.மு.எண்:: 743/அ2/2014 dated 07.04.2014 and quash the same.

For Petitioner : Mr.N.Sathish Babu
For Respondents : Mr.J.Gunaseelan Muthiah for R1 to R3
Additional Government Pleader
No Appearance for R4 to R8

ORDER

Heard the learned counsel on either side.

2.The petitioner became a Secondary Grade Teacher on 28.02.1990 at Mudukulathur Panchayat Union Primary School, Melakottakudi, Ramanathapuram District. She got transferred to Kamuthi Pachayat Union Primary School, Perumalthevan Patti, Ramanathapuram District on 17.06.1991. She was promoted as Primary School Headmistress in the year 1999 and then, as BT Assistant on 02.01.2009 and subsequently, promoted as Middle School Headmistress on 04.06.2010. Her grievance is that the fourth respondent herein namely, Janet Jeyaguna, who joined the Kamuthi Union, later in point of time, is drawing higher pay. Hence, she made a request in this regard. The



said request was rejected by order dated 07.04.2014 by the third respondent herein. The same is questioned in this writ proceedings.

3. Mr. Johnson Sukumar Devanesan, Assistant Elementary Education Officer, the third respondent herein, appeared in person to assist the Court. This Court places on record the assistance rendered by the said official. He submitted the comparative of the service details of the petitioner and the fourth respondent. The fourth respondent was appointed as Secondary Grade Teacher as early as on 29.07.1988. On the other hand, the petitioner got appointed as Secondary Grade Teacher on 28.02.1990. It is true that the fourth respondent had joined in Kamuthi Union later in point of time. The petitioner as well as the fourth respondent got promoted as Elementary School Headmistresses on 29.11.1999. Though, the petitioner as well as the fourth respondent got promoted as Elementary School Headmistresses on 29.11.1999, the fourth respondent had attained the selection Grade for the post of Secondary Grade Teacher on 29.07.1998 itself. Thus, on the date of promotion to the post of Elementary School Headmistress, the fourth respondent was already holding the Selection Grade. That is to say, she got promotion, after she got the selection grade. On the other hand, the petitioner got promotion as Headmistress within a time span of nine years, i.e., before getting selection grade. Thus pay-fixation for both cannot be same. The petitioner cannot claim stepping up of her pay on par with the fourth respondent, on the ground that the fourth respondent is junior to her in Kamudi Panchayat Union. Pay anomaly is clearly explainable. There is no merit in this writ petition.

4. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Director of Elementary School Education,
Chennai-600 006.
2. The District Elementary Educational Officer,
Ramanathapuram District @ Ramanathapuram.
3. The Assistant Elementary Educational Officer,
kamuthi Union, Kamuthi, Ramanathapuram District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 41453

TSG

<https://heservices.ecourts.gov.in/heservices/>

TE/SKN-RSK/SAR-2 : 23/02/2018 : 2P/5C

W.P. (MD) No.19969 of 2014
08.01.2018