



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.15535 to 15538 of 2018

T.Selvaraj	... Petitioner in W.P.15535/2018
G.Balasubamanian	... Petitioner in W.P.15536/2018
N.V.M.Kamath Khan	... Petitioner in W.P.15537/2018
Kaja Mohideen	... Petitioner in W.P.15538/2018

Vs.

- 1.The State of Tamil Nadu
represented by its Principal Secretary,
Finance (CMPC) Department,
Fort St. George, Chennai.
- 2.The Director of School Education,
College Road, Chennai.
- 3.The Joint Director (Vocational) of
School Education, College Road,
Chennai. ... Respondents No.1 to 3 in All
WP's
- 4.The Chief Educational Officer,
Thanjavur District, Thanjavur. ... 4th Respondent in
WP Nos.15535 & 15536 of 2018
- 5.The Principal Accountant General (G&SSA)
"LEKHA PARIKSHA BHAVAN"
No.361, Anna Salai, Teynampet,
Chennai - 600018. ... 5th Respondent in all
Writ petitions
- 4.The Chief Educational Officer,
Theni District, Theni. ... 4th Respondent in
WP.Nos.15537 & 15538 of 2018

Common Prayer: These Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to revise the petitioners scale of pay as Rs.15600-39100+5400 and provide consequential benefits to them within the time stipulated time by this Court in the light of the judgment dated on 19.03.2018 in W.P.(MD) No.2654 of 2018 and 15980 of 2014.



For Petitioners : Mr.R.Venkatesan
For Respondents : Mr.K.Saravanan, G.A.
For RR1 to 4
Mr.P.Gunasekaran, for R5

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COMMON O R D E R

The prayer sought for in these writ petition is for a Writ of Mandamus, directing the respondents to revise the petitioners scale of pay as Rs.15600-39100+5400 and provide consequential benefits to them within the time stipulated by this Court in the light of the judgment dated on 19.03.2018 in W.P.(MD) No.2654 of 2018 and 15980 of 2014.

2.Heard Mr.R.Venkatesan, learned counsel appearing for the petitioner and Mr.K.Saravanan, learned Government Advocate appearing for the respondents 1 to 4 and Mr.P.Gunasekaran, learned standing counsel appearing for the fifth respondent.

3.The petitioners were appointed as part time Vocational Instructors and after working some years, they had been brought under time scale of pay and they had been made permanent. Subsequently, they retired from service. However, they have not paid the full pension by taking into account the salary with grade pay of Rs.5,400/- as it has been paid only Rs.9300-34800 plus grade pay of Rs.4800/-. Therefore, in order to settle their pay as Rs.15600 - 39100 plus grade pay of rs.5400/- and accordingly calculate the pension and to pay the same, the petitioners had given individual representations on 18.06.2018, 18.06.2018, 03.07.2018 and 05.07.2018 respectively and even the said representations since have not been considered, the petitioners are before this Court.

4.The learned counsel appearing for the petitioners would submit that if a direction is given to consider those representations on merits and in accordance with law and an order to that effect is directed to be passed, the petitioners would be satisfied.

5.I have heard the learned Government Advocate appearing for the respondents 1 to 4 and the learned counsel appearing for the fifth respondent, who would submit that, the said representations given by the petitioners would be considered on merits and an order to that effect would be passed, within a time frame, that may be stipulated by this Court.

6.Considering the said submissions made by both sides and taking into account the limited scope of the writ petitions, this Court is inclined to pass the following order:



"The respondents shall consider the representations individually made by each of the petitioners herein with regard to their grievance of pay revision and consequently revision in pension and decide the same on merits and in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order."

7. With the above direction, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1. The Principal Secretary,
State of Tamil Nadu
Finance (CMPC) Department,
Fort St. George, Chennai.
2. The Director of School Education,
College Road, Chennai.
3. The Joint Director (Vocational) of
School Education, College Road,
Chennai.
4. The Chief Educational Officer,
Thanjavur District, Thanjavur.
5. The Chief Educational Officer,
Theni District, Theni.
6. The Principal Accountant General (G&SSA)
"LEKHA PARIKSHA BHAVAN"
No.361, Anna Salai, Teynampet,
Chennai - 600018.

+4 CC To MR.R.VENKATESAN, Advocate SR. NO. 73788 TO 73791
+1 CC To MR.P.GUNASEKARAN, Advocate SR. NO. 74290
+1 CC TO The Special Government Pleader SR.NO. 73848

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18.07.2018