

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2019

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No. 63 of 2019

K.Narasimhan

... Petitioner

Vs

1. The District Educational Officer,
(The then District Elementary Educational Officer),
Dharmapuri Education District,
Dharmapuri District.
 2. The Block Educational Officer,
(The then Assistant Elementary Educational Officer),
Nallampalli Panchayat Union
Nallampalli,
Dharmapuri District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 1st respondent to forthwith step up the pay of the petitioner to that of his junior from 01.07.2017, based on the recommendation of the 2nd respondent dated 18.05.2018 in Na.Ka.No.1322/A1/2018, by considering and passing orders on the representation of the petitioner dated 05.05.2018.

For Petitioner : Mr.K.Selvaraj

For Respondents: Mrs.P.Kavitha
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The prayer made in this writ petition is to direct the first respondent to consider and pass orders on the petitioner's representation dated 05.05.2018, based on the recommendation of the second respondent dated 18.05.2018.

3. According to the learned counsel for the petitioner, though the petitioner is senior to one G.Munirathnam in service, at the time of appointment, as per the Teachers Recruitment Board's ranking and at the time of promotion as Head Master of Primary School as well as Middle School, he is receiving lesser pay than that of his junior from 01.07.2017. Hence, he submitted a representation dated 05.05.2018 to the first respondent through the second respondent. The second respondent, vide communication in Na.Ka.No.1322/A1/2018 dated 18.05.2018, sent his recommendation to the first respondent to step up the pay of the petitioner to that of his junior, from 01.07.2017. However, no order has been passed by the first respondent, till date. Therefore, the petitioner is before this Court with the present writ petition.

4. Mrs.P.Kavitha, learned Government Advocate taking notice for the respondents fairly submitted that the first respondent would consider the petitioner's representation and pass appropriate orders on merits and in accordance with law, within a time frame to be stipulated by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the petitioner's representation dated 05.05.2018 and pass appropriate orders, on merits and in accordance with law and also in the light of the recommendation of the second respondent dated 18.05.2018, after affording due opportunity of personal hearing to the petitioner within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Educational Officer,
(The then District Elementary Educational Officer),
Dharmapuri Education District,
Dharmapuri District.

2. The Block Educational Officer,
(The then Assistant Elementary Educational Officer),
Nallampalli Panchayat Union
Nallampalli, Dharmapuri District.

+lcc to Mr.K.Selvaraj, Advocate Sr.2250
+lcc to the Government Pleader Sr.2978

W.P.No. 63 of 2019

srg 19/02/2019



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