

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 19390 of 2019

D. Vennila

...Petitioner

Vs

1. The Director School Education,
DPI Complex, College Road,
Chennai
 2. The Chief Educational Officer,
Erode.
 3. The District Educational Officer,
Erode.
 4. The Correspondent,
C.S.I. Boys Higher Secondary School,
Erode.
- ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to revise the scale of pay as per 7th Pay Commission, incentive increment, annual increment by considering the representation dated 26.03.2019 and confer all consequential benefits.

For Petitioner : Mr.C.Vediappan
for M/s.C.S.Associates

For Respondents : Mrs. P. Kavitha, GA

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents to revise the scale of pay as per 7th Pay Commission, incentive increment, annual increment by considering the representation dated 26.03.2019 and confer all consequential benefits.

2. Heard both sides and perused the records. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioners is that the petitioner was appointed as B.T Assistant (History) in the 4th respondent school on 07.01.2013. For approval of appointment of the petitioner, the petitioner has made representation to the 3rd respondent on 28.06.2013 and the said representation was refused by the 3rd respondent by its order dated 18.07.2013. Hence, the petitioner has filed a writ petition in W.P. No. 5632 of 2015 and obtained orders in her favour. Since, the said orders were not complied with, the petitioner has filed Contempt Petition in C.P.No. 1793 of 2018. As per the orders of this Court, the respondents passed an order approving the petitioner's appointment with effect from 07.01.2013. Even after approval of her appointment, the petitioner was not been awarded the consequential benefits, viz., revision of pay as per 7th Pay Commission. Therefore, the petitioner has made representation to the 3rd respondent on 26.03.2019, Since no orders were passed on the said representation, the petitioner has filed the present writ petition.

4. Learned counsel appearing for the petitioner further submitted that it would suffice, if this Court issues direction to the 3rd respondent to consider and pass orders on the representation submitted by the petitioner dated 26.03.2019

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the 3rd respondent to consider the petitioner's representation dated 26.03.2019 for revision of pay as per 7th Pay Commission and consequential benefits and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

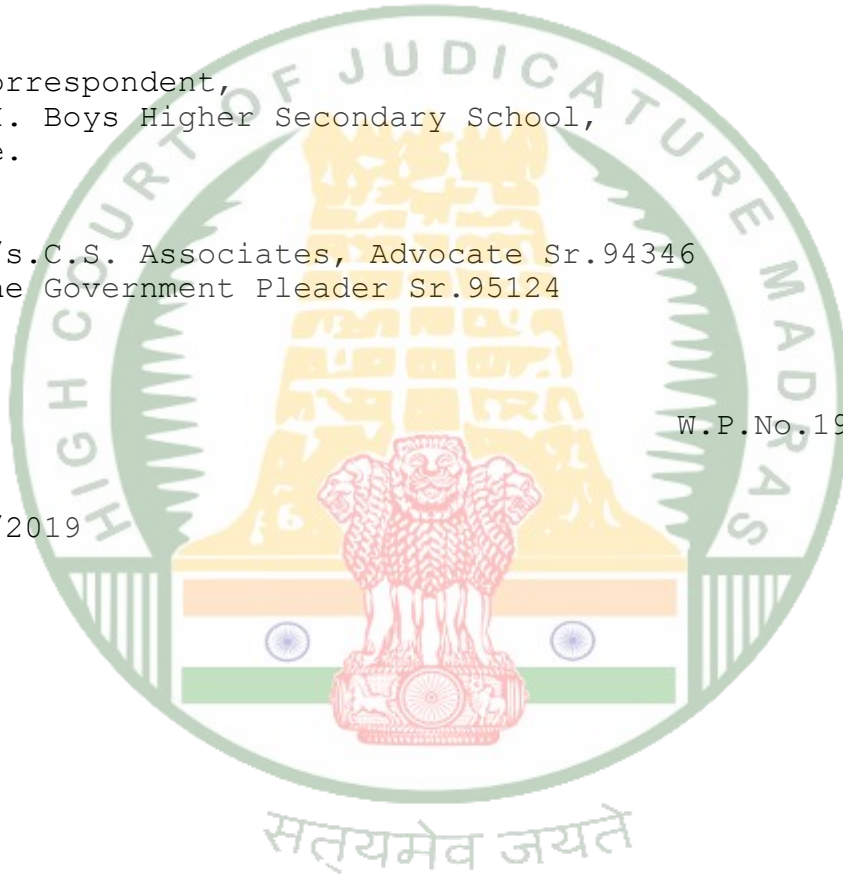
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Erode.

+1cc to M/s.C.S. Associates, Advocate Sr.94346
+1cc to the Government Pleader Sr.95124

W.P.No.19390 of 2019

srg 05/12/2019



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