

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.20995 of 2019

V.Parthipan

... Petitioner

Versus

1. The District Educational Officer,
District Educational Officer,
Harur, Dharmapuri District.

2. The Block Educational Officer,
Pappireddipatti,
Dharmapuri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to give selection grade scale of pay to the petitioner in the cadre of Elementary School Head Master by considering the representation dated 24.09.2018 and give all consequential benefits and in accordance with law, within a time to be stipulated by this Court.

For Petitioner : Mr.P.Ganesan

For Respondents : M/s.P.Kavitha,
Government Advocate.

ORDER

This Writ petition has been filed seeking to direct the respondents to give selection grade scale of pay to the petitioner in the cadre of Elementary School Head Master by considering the representation dated 24.09.2018 and give all consequential benefits and in accordance with law.

2.The case of the petitioner is that the petitioner was appointed as Secondary Grade Assistant on 11.08.1986 and posted at Panchayat Union Primary School, Athipati, Uthangarai Union,

Krishnagiri District through Employment Exchange Office, the petitioner service was regularised and also declared probation. However, he has completed 10 years of service in the cadre of Elementary School Head Master from 23.07.2007 to 24.07.2017. As per the Government order, the petitioner claiming one increment for completion of 10 years service in the above said post. Therefore, the petitioner made a representation before the respondents, which was not considered till date. Hence, this petition.

3. Ms. Kavitha, learned Government Advocate for Education has stated in his counter affidavit para no.13 that the petitioner is eligible to get Special Grade in Primary School Headmaster's post as on 18.02.2018 counting the actual service rendered as Selection Grade Primary School Headmaster's service from 23.07.2007 to 05.01.2007 for three months and 14 days. Thereafter, the service rendered as Selection Grade Primary School Headmaster with effect from 02.06.2008 to 17.02.2018 for 9 years 8 months and 16 days. However, he could not be granted Special Grade in Primary School Headmaster's post with effect from 23.07.2007.

4. In view of the limited relief sought for, this Court is of the view that it is not necessary to delve into the merits of the issue, but it would suffice to direct the respondents to consider the representation submitted by the petitioner dated 24.09.2018 and pass orders on the same within a particular time frame.

5. With the above directions, this writ petition is disposed of directing the respondents to consider the representation of the petitioner dated 24.09.2018 and to pass orders thereon, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

klr

To

1. The District Educational Officer,
District Educational Officer,
Harur, Dharmapuri District.

2. The Block Educational Officer,
Pappireddipatti,
Dharmapuri District.

+1cc to Mr.P.Ganesan, Advocate, S.R.No.97510
+1cc to the Government Pleader, S.R.No.98035

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PA (CO)
CS/08/01/2020



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