

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
W.P.No. 34992 of 2019

V.Periyasamy

...Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
Finance Department,
Fort St.George, Chennai - 600 009.
- 2.The State of Tamil Nadu,
Rep. By Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.
- 3.The Director of School Education,
DPI Compound, College Road,
Chennai - 600 006.
- 4.The Joint Director (Vocational),
Directorate of School Education,
DPI Compound, College Road,
Chennai - 600 006.

....Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, directing the respondents to re-fix the scale of pay of the petitioner at Rs.2,000-3,500 w.e.f. 16.10.1992 on par with the scale of pay sanctioned to Mr.Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamil Nadu.

For Petitioner : Mr.R.Saravanan
For Respondents : Mrs.V.Annalakshmi,
Government Advocate.

O R D E R

This writ petition has been filed for a direction to issue a writ of mandamus, directing the respondents to re-fix the scale of pay of the petitioner on par with the pay sanctioned to similarly placed employee.

2.The case of the petitioner is that he was appointed as a Vocational Teacher on 16.08.1988 at Government Boys Higher Secondary School, Chinnasalem. Thereafter, the petitioner was regularized in service on 16.10.1992. The petitioner attained superannuation on 30.04.2019.

3. The petitioner claims that the Government issued various Government orders by fixing the basic pay at Rs.2,000 - 3,500 and the same was also implemented and similarly placed persons approached this Court and they were also granted the relief. Therefore, the petitioner claims that he is also entitled for the relief of re-fixation of the scale of pay in terms of G.O.Ms.No.840, dated 31.07.1990. The petitioner made a representation to the respondents on 20.09.2019 seeking for re-fixation of scale of pay. Since the same has not been considered, the present writ petition has been filed before this Court.

4. Heard Mr.R.Saravanan, learned counsel appearing on behalf of the petitioner and Mr.V.Annalakshmi, learned Government Advocate appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 20.09.2019 and pass appropriate orders on its own merits and in accordance with law and in terms of the earlier orders passed by this Court for similarly placed persons within a period of eight (8) weeks from the date of receipt of copy of this order. The petitioner shall make a fresh representation to the 3rd respondent along with a copy of the representation dated 20.09.2019 and with the copy of this order.

5. This writ petition is disposed of with the above direction. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

kkn

To:-

1.The Principal Secretary to Government,
Finance Department,
Fort St.George, Chennai - 600 009.

2.The Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

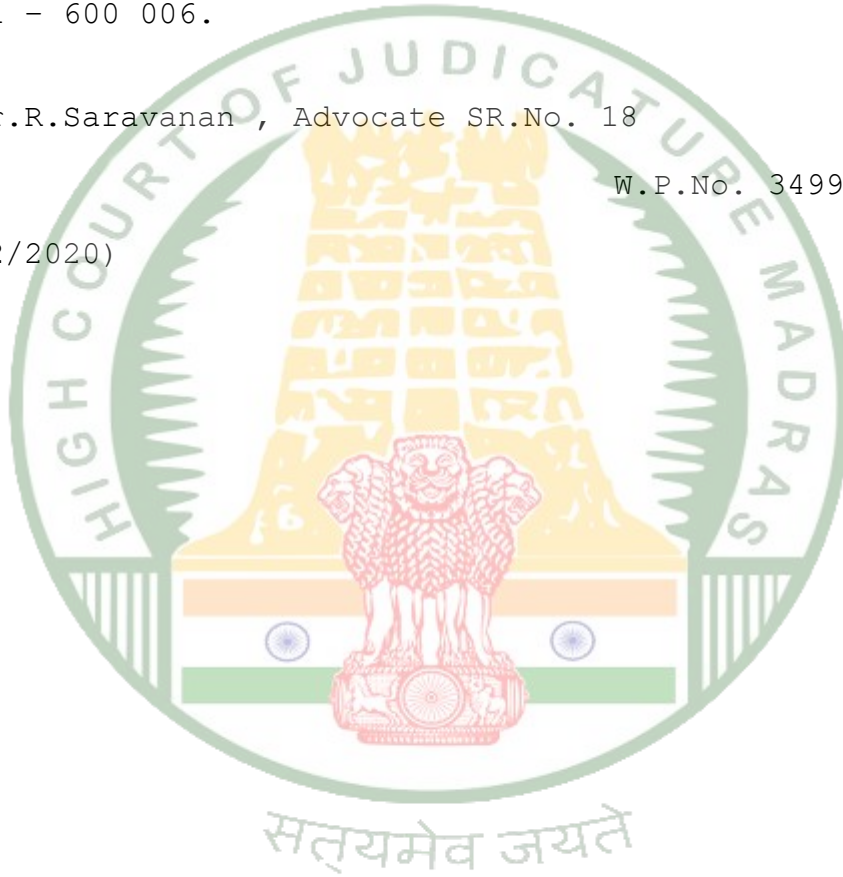
3.The Director of School Education,
DPI Compound, College Road,
Chennai - 600 006.

4.The Joint Director (Vocational),
Directorate of School Education,
DPI Compound, College Road,
Chennai - 600 006.

+1cc to Mr.R.Saravanan , Advocate SR.No. 18

W.P.No. 34992 of 2019

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A.SK(21/02/2020)



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