



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.5628 of 2019

R.Ebenezar

... Petitioner

vs

1.The District Elementary Officer,
Kanyakumari District.

2.The Block Educational Officer,
Thiruvattar, Kanyakumari District.

3.The Head Master,
The Government Middle School, Ittagaveli,
Thiruvattar, Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to grant selection grade in Tamil Pandit to the Petitioner with effect from 23.03.2007 by considering his representation dated 11.01.2014 in the light of G.O.Ms. No. 240 Finance (Pay Cell)Department, dated 22.07.2013.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

The Writ Petition is filed seeking a direction to the second respondent to grant selection grade in Tamil Pandit to the Petitioner with effect from 23.03.2007, by considering his representation, dated 11.01.2014 in the light of G.O.Ms. No. 240 Finance (Pay Cell)Department, dated 22.07.2013.

2. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that while he was working as a Middle School Headmaster in the third respondent school, he exercised the re-option as per G.O.Ms.No.240, Finance (Pay cell



department) dated 22.07.2013, to come over the revised scale of pay, after 6th pay commission and he submitted his request to the second respondent on 11.01.2014 to that effect. Subsequently, he retired from service on attaining the age of superannuation. Thereafter, the first respondent, by his proceedings dated 31.07.2017 directed the second respondent to fix the petitioner's scale of pay based on G.O.Ms.No.240. However, no action is forthcoming till today. Hence, the petitioner is before this Court by filing this writ petition.

4. The learned Special Government Pleader would submit that the representation of the petitioner would be considered within a time frame as fixed by this Court.

5. Considering the nature of prayer as sought for by the petitioner, without going into the merits of the petitioner's case, the second respondent is directed to consider the representation of the petitioner dated 11.01.2014 and pass appropriate orders on merits and in accordance with law and also in line with the communication of the first respondent dated 31.07.2017, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Elementary Officer,
Kanyakumari District.

2.The Block Educational Officer,
Thiruvattar, Kanyakumari District.

3.The Head Master,
The Government Middle School, Ittagaveli,
Thiruvattar, Kanyakumari District.

+1 CC to M/s.R.MAHESWARAN,Advocate (SR-53487[F] dated 13/03/2019)

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