

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 21.03.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.6707 of 2019**

S.Palanisamy

... Petitioner

Vs.

1.The Principal Accountant General (A & E),
No.361, Anna Salai, Chennai - 18.

2.The Assistant Treasury Officer,
Palani, Dindigul District.

3.The Head Master,
Government Higher Secondary School,
Keeranoor, Palani Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the first and second respondents to re-fix the petitioner's pay scale by fixing the selection grade scale of pay of Rs.15,600 + 39,100 + 5,400 G.P + 3% of increment viz., 4000 with effect from 01.04.2013 to enable the second respondent to pay the petitioner's pension Rs.32,050/- in the light of G.O(Ms)No.306, Finance (CMPC) Department, dated 12.09.2018 by considering his representation, dated 04.10.2018.

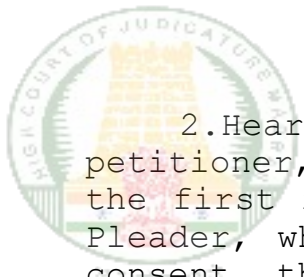
For Petitioner : Mr.T.Lenin Kumar

For R - 1 : Mr.P.Gunasekaran

For RR 2 & 3 : Mrs.S.Srimathy,
Special Government Pleader.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the first and second respondents to re-fix the petitioner's pay scale by fixing the Grade Pay in the light of G.O (Ms)No.306, Finance (CMPC) Department, dated 12.09.2018 by considering his representation, dated 04.10.2018.



2. Heard Mr.T.Lenin Kumar, learned counsel appearing for the petitioner, Mr.P.Gunasekaran, learned counsel, who takes notice for the first respondent and Mrs.S.Srimathy, learned Special Government Pleader, who takes notice for the second and third respondents. By consent, the writ petition is taken up for hearing at the stage of admission itself.

3. The case of the petitioner is that he was appointed as a Physical Education Teacher and retired from service on 30.09.2001 on attaining the age of superannuation. The grievance of the petitioner is that at the time of retirement, his scale of pay was Rs.13,500/- and based on G.O.Ms.No.234/Finance (PC Department), dated 01.06.2009, his scale of pay was revised. Seeking to re-fix his pay scale by fixing the Selection Grade, he made a representation to the respondents on 04.10.2018. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

4. The learned counsel appearing for the first respondent and the learned Special Government Pleader appearing for the second and third respondents submitted that the representation of the petitioner would be considered on merits.

5. In view of the above, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 04.10.2018 seeking to re-fix the petitioner's pay scale by fixing the selection grade in the light of G.O(Ms)No.306, Finance (CMPC) Department, dated 12.09.2018, and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

Sub Assistant Registrar(CS)

ps

To

1. The Principal Accountant General (A & E),
No.361, Anna Salai, Chennai - 18.



2.The Assistant Treasury Officer,
Palani, Dindigul District.

3.The Head Master,
Government Higher Secondary School,
Keeranoor, Palani Taluk,
Dindigul District.

1CC TO MR.T. LENIN KUMAR, ADVOCATE SR 55741
1CC TO MR. P. GUNASEKARAN, ADVOCATE SR 56384
1CC TO THE SPL GOVT PLEADER SR 56258

DS
15/04/2019

3P 7C

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