



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD)No.21508 of 2019

WEB COPY

Prabakaran

... Petitioner

Vs.

1.The State of Tamilnadu,
The Principal Secretary to Government,
School Education Department,
Chennai-600 009.

2.The District Project Coordination,
Chief Educational Officer,
Sivagangai,
Sivagangai District.

3.The District Collector,
Sivagangai,
Sivagangai District.

4.The Head Master,
Govt. Model School,
S.Pudur, Singapunary Taluk,
Sivagangai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider fixed by monthly salary Rs.9,700/- as per the 7th Pay Commission, based on the petitioner's representation, dated 05.08.2019.

For Petitioner : Mr.S.Muthupandi

For R1 to R3 : Mr.M.Karuppasamy,
Government Advocate

ORDER

This writ petition is filed for direction to the respondents to fix the monthly salary of Rs.9,700/- as per the 7th Pay Commission, by considering the petitioner's representation, dated 05.08.2019.

2.Mr.M.Karuppasamy, learned Government Advocate takes notice for the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission



itself.

3. According to the petitioner, he was appointed as Junior Assistant on consolidated pay of Rs.6,000/- per month and the same was increased to Rs.9,700/- per month with effect from 01.10.2017. While so, he was paid only a sum of Rs.6,000/- from May 2019. When he enquired about the same, the Headmaster of the School has informed that he has not worked for 480 days in two years. According to the petitioner, he worked for more than 8 years as Junior Assistant. Therefore, he has sent a representation to the first respondent and no order was passed on the said representation so far. Hence, the petitioner has come out with the present writ petition.

4. Though various averments have been made in the writ petition, after elaborate arguments, the learned counsel appearing for the petitioner submitted that petitioner will be satisfied if a direction is issued to the respondents 1 to 3 to consider the representations of the petitioner, dated 05.08.2019.

5. Considering the submission of the learned counsel for the petitioner, without deciding the issue on merits in the writ petition, the respondents 1 to 3 are directed to consider the representation of the petitioner, dated 05.08.2019 and pass orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Principal Secretary to Government,
School Education Department,
Chennai-600 009.

2. The District Project Coordination,
Chief Educational Officer,
Sivagangai,
Sivagangai District.



3.The District Collector,
Sivagangai,
Sivagangai District.

+1 CC to M/s.S.MUTHUPANDI, Advocate (SR-91871[F] dated 15/10/2019)

+1 CC to M/s.SPL GP (SR-92140[F] dated 16/10/2019)

W.P. (MD)No.21508 of 2019

15.10.2019

_KK/SAR/24.10.2019/3P-6C/