



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.21429 of 2019

R.Paulin Mary

... Petitioner

-Vs-

1.The Chief Educational Officer,
Trichy District, Trichy-620 002.

2.The Headmaster,
Government Girls Higher Secondary School,
Manaparai, Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to fix the minimum of time scale of pay of selection grade from the date of the petitioner's initial appointment i.e., on 07.12.2010, by taking into account of the petitioner's past 17 ½ years of service rendered in Government Aided School and in the light of G.O.Ms.No.1296, Department of Education, Science and Technology, dated 19.06.1982 based on the petitioner's representations dated 02.01.2019 and 16.08.2019 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.D.Selvavinayagam

For Respondents : Mr.A.Thiagarajan,
Government Advocate.

ORDER

This Writ Petition is filed for a direction to the first respondent to fix the minimum of time scale of pay of selection grade from the date of the petitioner's initial appointment i.e., on 07.12.2010, by taking into account of the petitioner's past 17 ½ years of service rendered in Government Aided School and in the light of G.O.Ms.No.1296, Department of Education, Science and Technology, dated 19.06.1982, based on the petitioner's representations dated 02.01.2019 and 16.08.2019, within the time limit that may be stipulated by this Court.



2.Mr.A.Thiagarajan, learned Government Advocate takes notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, she was appointed as Physical Education Teacher in the Little Flower Girls Higher Secondary School, Manapparai on 07.06.1993 and her service was approved by the District Educational Officer, Trichirappalli, vide his proceedings dated 06.01.1994. Subsequently, she was selected to the post of Physical Education Teacher by the Teachers Recruitment Board and appointed in the Government Higher Secondary School, Amanakkampatti, by the proceedings of the first respondent, dated 06.12.2010. According to the petitioner, on 27.08.2012, the Joint Director of School Education Department has transferred the petitioner to the second respondent school and till date, the petitioner is working in the second respondent school. The petitioner has sent a representation to the first respondent through proper channel for fixing the minimum time scale of pay in the selection grade from the date of her initial appointment by considering the her past 17 ½ of years of service rendered in the Government Aided School. However, the first respondent did not pass any order on the representation. Hence, the petitioner has come out with the present Writ Petition.

4.Considering the nature of relief sought for by the petitioner and the contention of the learned counsel appearing for the petitioner, without deciding the issues on merits, the first respondent is directed to consider the representation of the petitioner on merits and pass order in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

Myr

To

1.The Chief Educational Officer,
Trichy District, Trichy-620 002.

2.The Headmaster,
Government Girls Higher Secondary School,
Manaparai, Trichy District.



+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-91858[F] dated 15/10/2019)

+1 CC to M/s.GP (SR-91917[F] dated 15/10/2019)

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W.P. (MD) No.21429 of 2019
14.10.2019

JM/30.10.2019/3P/5C