



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.5301 of 2015

WEB COPY

C.Kipson

... Petitioner

vs.

1.The State of Tamil Nadu
Rep.by its Secretary to Government
Finance Department
Secretariat, St.George
Chennai-600 009

2.The Principal Secretary
School Education Department
Secretariat, St.George
Chennai-600 009

3.The Secretary to Government
Finance (Pay Cell) Department
Finance Pay Grievance Redressal Cell
Secretariat, Chennai-600 009

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the 1st respondent to constitute the Pay Grievance Redressal Committee in terms of the order passed by the Division Bench of this Court in Writ Appeal No.504 of 2012 dated 27.02.2014 and consequently to direct the 2nd respondent to place the representation dated 12.01.2015 preferred by the petitioner for revision of the scale of pay for the post of Secondary Grade Teacher, as Rs.9300-34800+G.P.4200 on par with Central Government Teachers and on par with other ministerial service staffs who are holding Diploma Certificate like Secondary Grade Teachers before the Pay Grievance Redressal Committee within the period stipulated by this Court.

For Petitioner : Mr.M.Ajmal Khan, Senior Counsel
for M/s.Ajmal Associates

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

The relief sought for in the present writ petition is for a direction to the first respondent to constitute a Pay Grievance Redressal Committee in terms of the Judgment passed by the



Honourable Division Bench of this Court in W.A.No.504 of 2012, dated 27.02.2014 and consequently, to direct the second respondent to place the writ petitioner's representation 12.01.2015, for revision of the scale of pay for the post of Secondary Grade Teacher, as Rs.9300-34800+G.P.4200 on par with Central Government Teachers and on par with other ministerial service staffs, who are holding Diploma Certificates, like Secondary Grade Teachers, before the Pay Grievance Redressal Committee, within a period stipulated by this Court.

2. The learned Senior Counsel appearing for the writ petitioner submits that the writ petitioner is the General Secretary of Tamil Nadu All Teachers Association. However, the writ petition is filed by the General Secretary in his personal capacity.

3. It is stated by the writ petitioner that on account of certain pay anomalies to be rectified for the post of Secondary Grade Teacher in the State of Tamil Nadu, he has submitted a representation and the same is to be placed before the Pay Grievance Redressal Committee to be constituted with reference to the Judgment of the Honourable Division Bench of this Court, dated 27.02.2014, wherein the Honourable Division Bench of this Court has directed the Government to constitute a Pay Grievance Redressal Committee under the Chairmanship of The Honourable Mr. Justice A.S.Venkatachalamoorthy, formerly Judge of this Court, who was elevated and retired as Chief Justice of the Chattishgarh High Court.

4. The learned Senior Counsel appearing for the writ petitioner is of the opinion that though the writ petitioner has submitted a representation, he has no opportunity to redress his grievances by placing the records and his grievances before the Pay Grievance Redressal Committee in terms of the Judgment passed by the Honourable Division Bench of this Court. Thus, the writ petitioner is constrained to move the present writ petition for a direction as stated above.

5. This Court is of the opinion that the Judgment passed by the Honourable Division Bench of this Court, cited by the learned Senior Counsel appearing for the writ petitioner, has been taken by way of an appeal by the State before the Honourable Supreme Court of India and now the matter is sub-judiced before the Honourable Supreme Court of India and consequently, the Government has not constituted the Pay Grievance Redressal Committee as per the Judgment of the Honourable Division Bench of this Court. Certain interim orders were also passed in the Special Leave Petition pending before the Honourable Supreme Court of India. Under these circumstances, the relief as such sought for in the present writ petition to constitute a Pay Grievance Redressal Committee, with reference to the Judgment of the Honourable Division Bench of this Court, cannot be granted.

6. However, it is made clear that after the disposal of the appeal pending before the Honourable Supreme Court of India, if any



such Pay Grievance Redressal Committee is constituted by the Government, then the writ petitioner is at liberty to approach the Committee for the purpose of redressal of his grievances in the manner known to law.

7. With these observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

Sub Assistant Registrar (CS)

To:

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

2.The Principal Secretary,
School Education Department,
Secretariat, St.George,
Chennai-600 009.

3.The Secretary to Government,
Finance (Pay Cell) Department,
Finance Pay Grievance Redressal Cell,
Secretariat, Chennai-600 009.

+One cc to The Special Government Pleader, SR.No.74739

+One cc to M/s.Ajmal Associates, Advocate, SR.No.74583

W.P. (MD) No.5301 of 2015
09.07.2019

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