



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.867 of 2020

Masilamani

Petitioner

Vs

1. The District Educational Officer,
Tenkasi,
Tenkasi District.

2. The Correspondent,
Annai Therasa R.C Higher Secondary School,
Vallam,
Tenkasi 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 approve permitted salary increment per year from 01.04.2018 and to re-fix the salary on par with VII pay Commission on the basis of the above increments for the petitioner for his post of B.T. Assistant (Science) in the second respondent School by considering the written requisition of the second respondent dated 06.12.2019 within a time frame fixed by this Court.

For Petitioner : Mr.D.Venkatesh

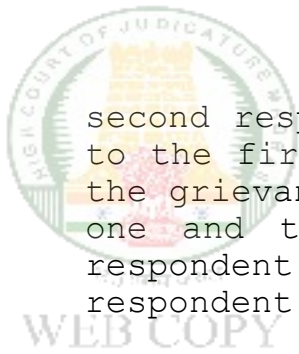
For Respondents : Mr.M.Karuppasamy
Government Advocate

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. Though the petitioner has sought for issuance of Writ of Mandamus to the first respondent to approve the permitted salary increment per year from 01.04.2018 and to re-fix the salary on par with 7th pay Commission, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

3. In connection with the petitioner's grievance, the
<https://hcservices.ecourts.gov.in/hcservices/>



second respondent herein has also filed a proposal dated 06.12.2019 to the first respondent seeking for refixation of the salary. Since the grievance of the petitioner as well as the second respondent are one and the same, it would be appropriate to direct the first respondent to consider the approval petition filed by the second respondent.

4. In the light of the above observations, there shall be a direction to the first respondent to consider the approval petition filed by the second respondent dated 06.12.2019 on its own merits and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the second respondent on behalf of the petitioner in the approval petition and it is for the first respondent to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

To

1. The District Educational Officer,
Tenkasi, Tenkasi District.

2. The Correspondent,
Annai Therasa R.C Higher Secondary School,
Vallam, Tenkasi District.

+1 CC to M/s.SPL.GP (SR-2134[F] dated 21/01/2020)

+1 CC to M/s.D.VENKATESH, Advocate (SR-2096[F] dated 21/01/2020)

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JMN(14.02.2020) 2P : 5C