



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **06.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.2291 of 2020

WEB COPY

J.Arulmozhi

... Petitioner

/vs./

1.The District Educational Officer,
O/o.the District Educational Office,
Cheranmahadevi,
Tirunelveli District.

2.The Block Educational Officer,
O/o.the Block Educational Office,
Cheranmahadevi,
Tirunelveli District.

3.The Correspondent,
R.C.Schools,
Cheranmahadevi,
Tirunelveli District-627 414.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the first respondent to approve permitted salary increment per year from 05.06.2012 to 01.07.2017 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 Secondary Grade Teacher in the third respondent school within the time frame by considering the written representation of the third respondent dated 27.11.2019 and also in the light of the order passed by this Court in W.P(MD) Nos.3681, 3682, 3683 and 3684 of 2018 dated 26.03.2018.

For Petitioner : Mr.K.Sankar
For R-1 and R-2 : Mr.M.Karuppasamy
Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Since no adverse order is going to be passed against the third respondent, notice to him is dispensed with.

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 05.06.2012 to 01.07.2017 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 third respondent herein has also sent a representation dated 27.11.2019 to the first respondent seeking for refixation of the salary. Since the grievance of the petitioner as well as the third respondent are one and the same, it would be appropriate to direct the first respondent to consider the representation sent by the third respondent.

4. In the light of the above observations, there shall be a direction to the first respondent to consider the representation sent by the third respondent dated 27.11.2019 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 third 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 (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

To:

1.The District Educational Officer,
O/o.the District Educational Office,
Cheranmahadevi,
Tirunelveli District.

2.The Block Educational Officer,
O/o.the Block Educational Office,
Cheranmahadevi,
Tirunelveli District.

+1 CC to SPL GP (SR-5234[F] dated 07/02/2020)

+1 CC to MR.K.SANKAR, Advocate (SR-5371[F] dated 10/02/2020)

Order made in
W.P.(MD) No.2291 of 2020

Dated:06.02.2020