



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.5032 of 2020

WEB COPY

N.Amuthakalavathi

... Petitioner

/vs./

1.The District Educational Officer
Tiruchendur
Tuticorin District

2.The Block Educational Officer
Alwarthirunagari Union
Tuticorin District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to step up the petitioner's scale of pay on par with her junior with effect from the date on which her junior was given higher scale of pay with all consequential benefits by considering the representation dated 28.06.2019 as per order made in W.P(MD).No.6659 of 2018, dated 29.04.2019.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

ORDER

This Writ petition has been filed for a direction to the respondents to step up the petitioner's scale of pay on par with her junior with effect from the date on which her junior was given higher scale of pay with all consequential benefits by considering the representation dated 28.06.2019 as per order made in W.P(MD). No.6659 of 2018, dated 29.04.2019.

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

3.The learned counsel for the petitioner would submit that the petitioner was appointed as Secondary Grade Teacher on 31.07.1995 and she was awarded two sets of incentive increments for higher qualifications of B.Ed., and M.A., on 29.12.2009. Thereafter, she was promoted as Elementary School Headmistress on 04.06.2008.



According to the petitioner, one Tmt.N.Kala was appointed as Secondary Grade Teacher on 04.08.1995 and received two sets of incentive increments for her higher qualification in the year 2015 like the petitioner and she was promoted as Elementary School Headmistress on 08.08.2016. The grievance of the petitioner is that now the petitioner and the said N.Kala are working as Elementary School Headmistresses. The said N.Kala's scale of pay was fixed at Rs.64,400/- and the petitioner's scale of pay was fixed at Rs.61,700/-. The pay anomaly has to be removed as per Pay Commission Rules. Hence, the petitioner made a representation, dated 28.06.2019 to the respondents in the regard. But, so far, no action has been taken. Therefore, the petitioner is before this Court.

4.The learned counsel for the petitioner would further submit that the very same issue was decided by this Court in W.P(MD). No.6659 of 2018 and therefore, he prayed to consider the representation of the petitioner, dated 28.06.2019 in the light of the order passed in W.P(MD).No.6659 of 2018, dated 29.04.2019.

5.Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.

6.Considering the limited prayer sought for in the Writ petition and without advertting to the merits of the case, the respondents are directed to consider the representation of the petitioner, dated 28.06.2019 by taking into account of the order passed by this Court in W.P(MD).No.6659 of 2018, dated 29.04.2019 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to say that the petitioner shall enclose the copy of the representation, dated 28.06.2019 along with this order copy to the respondents.

7.With the above direction, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

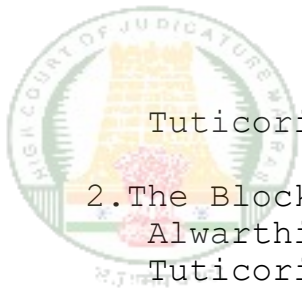
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To

1.The District Educational Officer

<https://hcservices.ecourts.gov.in/hcservices/>

Enclosure



Tuticorin District

2.The Block Educational Officer
Alwarthirunagari Union
Tuticorin District

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-10879[F] dated
10/03/2020)

W.P.(MD) No.5032 of 2020

Dated:
10.03.2020

AP (23/03/2020) 3P 4C