



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.14743 of 2020

P.Chellamuthu

... Petitioner

Vs.

1.The District Educational Officer,
Office of the District Educational Officer,
Palani, Dindigul District.

2.The Block Educational Officer,
Office of the Block Educational Officer,
Oddanchatram, Dindigul District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 22.07.2020 in the light of the recommendation dated 23.07.2020 by the second respondent within a reasonable time frame fixed by this Court.

For Petitioner	: Mr.K.Elangovan
For Respondents	: Mrs.S.Srimathy Special Government Pleader

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.This writ petition has been filed to direct the respondents to consider the petitioner's representation dated 22.07.2020 in the light of the recommendation dated 23.07.2020 by the second respondent within a reasonable time frame fixed by this Court.

3.The learned counsel for the petitioner would submit that the petitioner's junior is drawing a salary of Rs.76,800/- per month as on from 13.06.2018 in the level-17, whereas the petitioner being a senior in the Level-17 drawing a salary of Rs.68,300/-. The petitioner being a senior in the same post drawing a lesser salary of Rs.8,500/- than his junior. Therefore, the petitioner has contended that his salary should be equalized at par with his junior and the pay parity should be sought out on par with the junior salary with effect from 13.06.2018. In this regard, though the petitioner has given a representation on 22.07.2020, the same has not been considered till date. He would further submit that the second respondent has made a recommendation for equalisation of the salary in favour of the petitioner on 23.07.2020 to the first



respondent. However, the first respondent once again forwarded the same to the second respondent on 10.09.2020 calling for the proposal, whereas, the second respondent has already given the proposal recommending the same on 23.07.2020. Therefore, the learned counsel for the petitioner would submit that the petitioner representation may be considered along with the recommendation made by the second respondent dated 23.07.2020 by the first respondent.

4.The learned Special Government Pleader appearing for the respondent would fairly submit that the matter is relating to rectify the pay anomaly between the petitioner and his junior and the same will be considered on merits and in accordance with law.

5.Considering the submission made by the learned counsel for the petitioner as well as the respondents, this Court is of the view that based on the petitioner's representation dated 22.07.2020, the second respondent forward his recommendation to the first respondent on 23.07.2020 and now it is for the first respondent to consider both the representation as well as the recommendation. Instead of that once again, he has called for the proposal from the second respondent which is unnecessary. Under these circumstances, this Court directs the first respondent to dispose of the representation of the petitioner dated 22.07.2020, in the light of the recommendation made by the second respondent dated 23.07.2020 on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Educational Officer,
Office of the District Educational Officer,
Pudukottai District.

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



2.The Block Educational Officer,
Office of the Block Educational Officer,
Oddanchatram, Dindigul District.

+1 CC to M/s.K.ELANGO VAN, Advocate (SR-20671[F] dated 29/10/2020)

+1 CC to M/s.SPL GP (SR-20778[F] dated 02/11/2020)

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28.10.2020

CK(CO)

KB(11.11.2020) 3P 5C