



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.12.2020**

CORAM

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.17608 of 2020

P.Shanthi

...Petitioner

Vs

1.The Chief Educational Officer,
Sivagangai District.

2.The Headmaster, Government High School,
T.Karisalkulam,
Sivagangai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to revise the petitioner's selection grade pay in the cadre of elementary school headmaster from 9300-34800+4500 Grade pay to 15,600-39100+5400 Grade pay, by considering the petitioner's representation dated 02.12.2019.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader

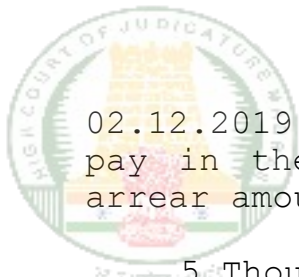
ORDER

This Writ Petition is filed to direct the respondents to revise the petitioner's selection grade pay from 9,300-34,800+4,500 (Grade pay) to 15,600-39,100+5,400 (Grade pay) for the post of Elementary School Headmaster, by considering the representation dated 02.12.2019.

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

3.The learned counsel appearing for the petitioner would submit that the petitioner was initially working as Elementary School Headmaster with effect from 08.06.2001. Since the petitioner continued in the said post without any promotion, she was awarded selection grade in the said cadre on 17.06.2011. Thereafter, the petitioner was promoted as Middle School Headmaster and joined duty in the 2nd respondent school. While that being so, the 2nd respondent school was upgraded as High School in the year 2011 and that the petitioner was absorbed as B.T.Assistant and is continuing in the same school.

4.The learned counsel would further submit that the selection grade to the post of Elementary School Headmaster was revised as 15,600-39,100+5,400 (Grade Pay) and the petitioner is entitled to get the same. Hence, the petitioner has made a representation dated



02.12.2019 to the respondents seeking to revise her selection grade pay in the cadre of Elementary School Headmaster and to pay the arrear amount payable to her.

5. Though the 2nd respondent, by proceedings dated 02.12.2019, has sent a proposal to the 1st respondent seeking to revise the petitioner's selection grade pay from 9,300-34,800+4,500 (Grade pay) to 15,600-39,100+5,400 (Grade pay) in the cadre of Elementary School Headmaster, the 1st respondent, by proceedings dated 04.12.2019, has returned the same to the 2nd respondent stating that the 2nd respondent can revise the petitioner's selection grade pay for the said post, if the petitioner is eligible, but the 2nd respondent has not considered the claim of the petitioner till date. Hence, left with no other alternative, the petitioner is before this Court for the relief stated supra.

6. In reply, Mr. N. Shanmugaselvam, learned Additional Government Pleader appearing for the respondents would submit that the petitioner's representation dated 02.12.2019, would be considered by the 2nd respondent on merits and in accordance with law, within a period of four weeks.

7. Heard the learned counsel on either side.

8. Though the 1st respondent, vide communication dated 04.12.2019, recommended the 2nd respondent to revise the petitioner's selection grade pay in the cadre of Elementary School Headmaster, if the petitioner is eligible, the 2nd respondent has not considered the petitioner's request and has not taken any steps to dispose of the petitioner's representation dated 02.12.2019 for the past 1 years.

9. In the light of the above, this Court is inclined to pass the following directions:-

the 2nd respondent is directed to consider the petitioner's representation dated 02.12.2019 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, without making any further delay in its decision making process;

10. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

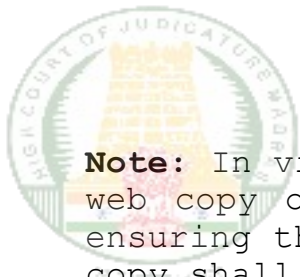
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Sub Assistant Registrar (CS)

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



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.

WEB COPY

To

1.The Chief Educational Officer,
Sivagangai District.

2.The Headmaster,
Government High School,
T.Karisalkulam,
Sivagangai District.

+1 CC to M/s.GP (SR-24451[F] dated 08/12/2020)

W.P. (MD) No.17608 of 2020
04.12.2020

KVN(CO)
AP(18/12/2020) 3P 4C