

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.1420 of 2021

R.Malathi

...Petitioner

Vs

The Director of School Education,
DPI Compound,
College Road,
Chennai-600 006.

...Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondent herein to step up the petitioner's salary as P.G. Assistant in Government Higher Secondary on par with the salary of the petitioner's junior K.Lenin Prabhu, working as P.G. Assistant (Physics) in the same school from 23.08.2016, from which the date K.Lenin Prabhu has been drawing salary of Rs.24,760/- and increased salary paid to him on yearly increment from 01.07.2017 duly directing for Head Master Higher Secondary School, Avinankudi, Cuddalore District to step up salary on par with the salary of K.Lenin Prabhu and to pay the difference of arrears of salary.

For Petitioner : Mr.T.V.Krishnamachari for
Mr.R.Vasudevan

For Respondent : Mr.P.Raja,
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal during the time of admission. Mr.P.Raja, learned Government Advocate, takes notice for respondents.

2.This writ petition has been filed, seeking a direction to the respondent to step up the petitioner's salary as P.G. Assistant in Government Higher Secondary on par with the salary of her junior K.Lenin Prabhu, working as P.G. Assistant (Physics) in the same school from 23.08.2016, from which date

K.Lenin Prabhu has been drawing salary of Rs.24,760/- and has been getting increased salary on yearly increment from 01.07.2017 duly directing for Head Master Higher Secondary School, Avinankudi, Cuddalore District to step up her salary on par with the salary of K.Lenin Prabhu and to pay the difference of arrears of salary.

3. The case of the petitioner is that she has joined as a B.T.Assistant (Botany) in Government of Tamil Nadu School in Sunnapet at Chinpelpet, Perambalur District and then in Adudurai and now she is working in Avinangudi, Cuddalore District as P.G.Assistant from 10.01.20214. While she was promoted as P.G. Assistant, she was not designated as Selection Grade B.T. Assistant, since she has not completed 10 years as B.T. Assistant. It is also stated by the petitioner that her Junior Lenin Prabu, who joined after the petitioner as B.T. Assistant (Physics), was designated as Selection Grade B.T. Assistant on completion of 10 years on 01.06.2016 and has been drawing salary of Rs.24,760/- per month, whereas the petitioner has been receiving lesser basic salary of Rs.24,060/- per month. In this regard, the petitioner sent a representation dated 01.03.2019 to the respondent to step up her salary on par with the salary of her Junior K.Lenin Prabhu. However, due to no response on the side of the respondent, the petitioner has come forward with this present writ petition.

4. In view of the limited prayer sought for by the petitioner and if the Petitioner's representation is pending with the authorities concerned and, not disposed of earlier, this Court directs the respondent to consider the representation of the petitioner dated 01.03.2019 and pass appropriate orders, in accordance with law, after affording an opportunity of hearing to all parties concerned, as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vum

To:

The Director of School Education,
DPI Compound,
College Road,
Chennai-600 006.

+1cc to the Government Pleader, S.R.No.4342

+1cc to Mr.D.Ravi, Advocate, S.R.No.4697

W.P.No.1420 of 2021

SRA(CO)
KKV/22/02/2021



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