

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.2931, 2933, 2935, 2936, 2938 & 2940 of 2021  
and

W.M.P.Nos.3284, 3286, 3287, 3291, 3293 & 3296 of 2021

R.Subramani ...Petitioner in WP.No.2931/21  
C.Govindaraj ...Petitioner in WP.No.2933/21  
S.Krishnamoorthi ...Petitioner in WP.No.2935/21  
K.Raghunathan ...Petitioner in WP.No.2936/21  
N.Muthu ...Petitioner in WP.No.2938/21  
T.Suresh Kumar ...Petitioner in WP.No.2940/21

Vs

- 1.The Government of Tamil Nadu,  
Rep. by its Principal Secretary,  
Finance (Pay Cell) Department,  
Fort St. George, Secretariat,  
Chennai - 600 009.
- 2.The Directorate of School Education Department,  
Rep. by its Director,  
School Education Department,  
DPI Campus, Chennai - 600 006.
- 3.The Chief Education Officer,  
Chennai District,  
Egmore, Chennai - 600 008. ... Respondents in all WPs

Common Prayer in all WPs: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, direction to the 1st respondent Department and 2nd respondent Directorate to consider and to extend the benefits of G.O.Ms.No.321 dated 02.07.1998 whereby two additional increments were granted to Junior Assistant who had the degree qualification at the time of initial appointment in the light of the Government Letter No. 2680/PC/2018-5 dated 19.09.2018 and other similarly orders issued by the 1st respondent Department.  
In all W.Ps:

For Petitioner : Mr.R.Govardhanan  
for Mr.S.Kannan

For R1 : Mr.Pothiraj, Spl.GP

For R2 & R3 : Mr.P.Raja, GA

#### COMMON ORDER

Mr.Pothiraj, learned Special Government Pleader takes notice for the first respondent and Mr.P.Raja, learned Government Advocate takes notice for the respondents 2 and 3. By consent of both parties, these writ petitions are taken up for final disposal at the admission stage itself.

2.These writ petitions have been filed seeking a direction to the respondents 1 and 2 to consider and extend the benefits of G.O.Ms.No.321, Finance (Pay Cell) Department, dated 02.07.1998 to the petitioners, in the light of the Government Letter No.2680/PC/2018-5 dated 19.09.2018 and other similar orders issued by the 1<sup>st</sup> respondent.

3.According to the petitioners, they were selected for the post of Junior Assistant through the Group IV examination conducted by TNPSC for the years from 2007-08 to 2012-13 and they were posted as such in the District Educational Office, Chennai District. As per G.O.Ms.321 dated 02.07.1998, they are entitled to draw higher scale of pay by two stages above the minimum scale of pay to the Graduate Junior Assistants/Typists. However, the petitioners were not granted the said benefit, by virtue of G.O.Ms.No.241 Finance (Pay Cell) Department dated 22.07.2013, wherein, the Government discontinued the benefit of higher scale of pay to the Graduate Junior Assistants with retrospective effect from 01.04.2013. It is the further case of the petitioners that similarly placed persons were granted the benefit of higher scale of pay, pursuant to the Government Letter No.2680/PC/2018-5 dated 19.09.2018. It is the grievance of the petitioners that due to administrative delay in posting them at appropriate place, they lost the benefit of higher scale of pay. Hence, they have preferred this writ petition for the aforesaid relief.

4.The learned counsel for the petitioners submitted that the petitioners submitted separate representations dated 18.12.2019, 26.12.2019, 19.12.2019, 18.12.2019, 20.12.2019 and 18.12.2019 respectively, to the respondents seeking the relief sought in these writ petitions; and it would suffice, if the said representations are directed to be considered by the respondent authorities, within a time frame to be stipulated by this Court.

5. There is no serious objection on the side of the respondents for granting such relief to the petitioners.

6. Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondent authorities to consider the petitioners' representations dated 18.12.2019, 26.12.2019, 19.12.2019, 18.12.2019, 20.12.2019 and 18.12.2019 respectively, and pass appropriate orders on merits and in accordance with law and also in the light of the letter dated 19.09.2018 issued by the first respondent in respect of similarly placed persons, within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. These Writ Petitions are disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mtl

To

1. The Principal Secretary to Government,  
Finance (Pay Cell) Department,  
Fort St. George, Secretariat,  
Chennai - 600 009.

2. The Directorate of School Education Department,  
Rep. by its Director,  
School Education Department,  
DPI Campus, Chennai - 600 006.

3. The Chief Education Officer,  
Chennai District,  
Egmore, Chennai - 600 008.

+6cc to Mr. Kannan, Advocate SR.8599, 8600, 8601  
8602, 8603 & 8604

+1cc to the Government Pleader SR.8823

W.P.Nos.2931, 2933, 2935, 2936, 2938 & 2940 of 2021

MG(CO)  
CB(18/03/2021)