



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 29.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10877 of 2021

S.J.Suriyakanthi

...Petitioner

Vs

1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai 600 006.

2.The District Educational Officer,
Vaniyambadi Education District,
Thirupattur District.

3.The Block Educational Officer,
Natrampalli Union,
Thirupattur District.

4.The Correspondent,
T.V.K.V. Aided Primary School,
Kottai,
Vaniyambadi 635 751,
Thirupattur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pass orders for granting Special Grade scale of pay to the petitioner in the post of Secondary Grade Teacher as on 16.03.2010 with consequential revision of scale of pay in the post of Primary School Headmaster with effect from 01.04.2010, including the payment of arrears of salary by considering the representation submitted by the petitioner dated 24.08.2020 and 10.02.2021, with all consequential and other attendant benefits, within a time frame.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.P.Raja, GA
1 to 4

O R D E R

By consent of both the parties, this writ petition is taken up for final disposal.



2. Since the petitioner's request to pass orders for granting Special Grade scale of pay to the petitioner in the post of Secondary Grade Teacher as on 16.03.2010 with consequential revision of scale of pay in the post of Primary School Headmaster with effect from 01.04.2010, including the payment of arrears of salary was not considered, the present writ petition has been filed. According to the petitioner, he has made representations in this regard on 24.08.2020 and 10.02.2021, which are still pending.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, it would be appropriate to direct the first respondent herein to consider the petitioner's representations dated 24.08.2020 and 10.02.2021, within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the second respondent to consider the petitioner's representations dated 24.08.2020 and 10.02.2021, on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sbn/hvk

To

1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai 600 006.



2.The District Educational Officer,
Vaniyambadi Education District,
Thirupattur District.

3.The Block Educational Officer,
Natrampalli Union,
Thirupattur District.

+1 cc to Government Pleader Sr.No. 27022

W.P.No.10877 of 2021

JPL(CO)
B.VC(14.07.2021)