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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.21562 of 2021
(Through Video Conferencing)

K.Sumathi ... Petitioner

Vs

1.The Director of Elementary Education,
College Road, Chennai - 600006.

2.The District Educational Officer,
Vaniyambadi, Thirupathur District.

3.The Block Educational Officer,
Pernampattu, Vellore District.

4.Tmt.Sakthi,
Headmaster, Panchayat Union Primary School,
Sokkarishikuppam, Pernampattu Block,
Vellore District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the Third Respondent in O.Mu.No.357/A2/2020 dated 10.06.2020 and quash the same and direct the first respondents to third respondents to fix the petitioner's pay on par with the fourth respondent in the light of the orders passed in W.P.Nos.3698, 3699, 3700 and 4352/2007 dated 18.06.2012 and W.P(MD).No.742/2018 dated 07.02.2018 and grant the petitioner's all consequential benefits.

For Petitioner : Mr.P.Manojkumar

For Respondents :

For R1 to R3 : Mr.L.S.M.Hasan Fizal
Government Advocate



ORDER

The impugned order has already been set aside by an order dated 30.09.2021 in W.P.No.21026 of 2021.

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2. The operative portion from the said order reads as under:-

"4. The learned counsel for the petitioner submits that the issue is squarely covered by the decisions of this Court in the following two cases:-

(i) T.Mani and others VS The District Elementary Educational Officer, Vellore, Vellore District, passed in W.P.Nos.3698 to 3700 & 4352 of 2007 dated 18.06.2012.

(ii) K.Vijayarani Vs The District Elementary Educational Officer, Thoothukudi District, Thoothukudi and another, passed in W.P(MD).No.742 of 2018 dated 07.02.2018.

5. Considering the fact that the petitioner's representation dated 02.05.2020 has been disposed by the third respondent by the impugned order dated 10.06.2020 without considering the orders of this Court in the above two writ petitions, this Court is inclined to dispose this writ petition by quashing the impugned order by directing the respondents to pass a fresh order within a period of eight weeks from the date of receipt of a copy of this order by considering the two orders referred to supra.

6. The petitioner may additionally give a representation to the respondents within a period of four weeks from the date of receipt of a copy of this order.

7. This Writ Petition stands disposed of with the above observations. No costs."

3. Since the issue is same, this Writ Petition is allowed in terms of order passed on 30.09.2021 in W.P.No.21026 of 2021. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



To

1.The Director of Elementary Education,
College Road, Chennai - 600006.

2.The District Educational Officer,
Vaniyambadi, Thirupathur District.

3.The Block Educational Officer,
Pernampattu, Vellore District.

4.Tmt.Sakthi,
Headmaster, Panchayat Union Primary School,
Sokkarishikuppam, Pernampattu Block,
Vellore District.

+lcc to M/s.P.Rajendran, Advocate Sr.52337
+lcc to the Government Pleader Sr.53195

W.P.No.21562 of 2021

gp[co]
srg 17/11/2021