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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.21026 of 2021
(Through Video Conferencing)

R.Umadevi

...Petitioner

Vs

1. The Director of Elementary Education,
College Road, Chennai - 600 006.
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: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the third respondent in O.Mu.No.356/A2/2020 dated 10.06.2020 and quash the same and direct the first 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 of 2007 dated 18.06.2012 and W.P(MD).No.742 of 2018 dated 07.02.2018 and grant all consequential benefits to the petitioner.

For Petitioner : Mr.P.Rajendran

For Respondents :

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

ORDER

Mr.L.S.M.Hasan Fizal, learned Government Advocate takes notice on behalf of the first to third respondents.



2. The petitioner claims that the petitioner's junior namely Sakthi, the fourth respondent herein is getting higher salary though both of them possessed same qualification though the petitioner is said to be a senior of the fourth respondent.

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3. By the impugned order dated 10.06.2020, the representation of the petitioner has been rejected by the third respondent. Under these circumstances, the petitioner has filed the present writ petition.

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.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

arb



To

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

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

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

+1cc to the Government Pleader, High Court, Madras S.R.No.51585

+1cc to Mr.P.Rajendran, Advocate, S.R.No.51165

W.P.No.21026 of 2021

CA(CO)
RGA(26/10/2021)