



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P(MD) .Nos.22461 and 22462 of 2017

M.Thirumurugan

...Petitioner
in W.P.(MD).No.22461 of 2017

V.Balakrishnan

...Petitioner
in W.P.(MD).No.22462 of 2017

Vs.

1.The Chief Educational Officer,
Ramanathapuram District.

2.The Headmaster,
Government High School, Keeranoor,
Ramanathapuram District.

...Respondents
in both writ petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to sanction yearly increment, selection grade and other benefits to the petitioners.

In both writ petitions:

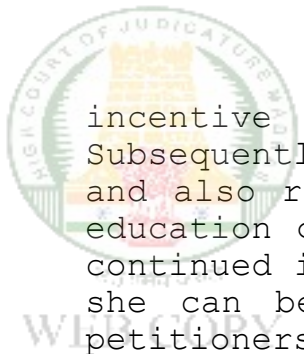
For Petitioners :Mr.V.Panneer Selvam
For Respondents :Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

COMMON ORDER

Since the issue involved in these writ petitions are one and the same, these writ petitions are taken up together and disposed of by a common order.

These writ petitions have been filed for a direction to the respondents to sanction yearly increment, selection grade and other benefits to the petitioners.

2. The case of the petitioners is that the petitioners were appointed as Junior Grade B.T.Assistant in the year 2006 and 2005 respectively, on consolidated pay. While so, the Government issued order regularizing the services by granting regular time scale with effect from 1.6.2006 and hence the petitioners were granted regular time scale from 1.6.2006. Thereafter, the petitioners completed M.Sc. degree in the year 2006 and they received one set of



incentive increment for higher qualification of M.Sc., degree. Subsequently, they have completed M.Phil., degree in the year 2008 and also received another set of incentive increment of the higher education qualification of M.Phil., degree. If a government servant continued in the same post without any promotion for 10 years, he or she can be awarded selection grade in the said post. Since the petitioners services were regularised in the year 2006, they have to be awarded selection grade in the year 2016. However, they were not granted any selection grade. Hence, they made separate representations dated 20.4.2017 to the respondents in this regard. Since the same was not considered so far, the present writ petitions have been filed.

3. The learned counsel for the petitioners would submit that it would be suffice if a direction is issued to the respondents to consider the representation of the petitioners dated 20.4.2017 within a reasonable time as fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents would submit that pending writ petitions, selection grade and other eligible increments are awarded in favour of the petitioners.

5. In view of the above, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation dated 20.4.2017 submitted by the petitioners and to pass appropriate orders thereon on merits and in accordance with law, within a period of twelve(12) weeks from the date of receipt of a copy of this order, if not already considered.

6. With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

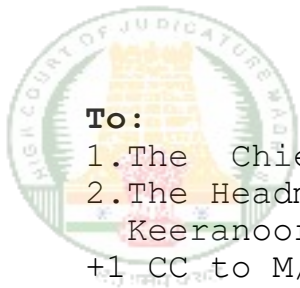
Assistant Registrar (CS II)

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/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

- 1.The Chief Educational Officer, Ramanathapuram District.
 - 2.The Headmaster, Government High School,
Keeranoor, Ramanathapuram District.
- +1 CC to M/s.SPL GP (SR-9491[F] dated 08/03/2021)

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RP (17.05.2021) P 5C