



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.23638 of 2017

K.Kesavan

.. Petitioner

Vs

1.The District Educational Officer,
Karur District.

2.The Correspondent,
Marist Higher Secondary School,
P.Udaiyapatti,
Karur District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to sanction the selection grade to the petitioner in the cadre of secondary grade scale with effect from 01.04.2006 and confer all the consequential benefits.

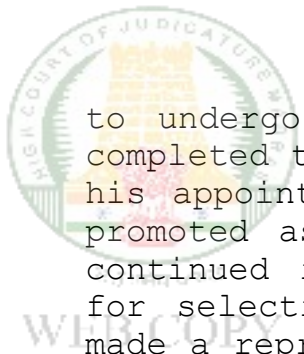
For Petitioner : Mr.V.Panneer Selvam

For Respondent No.1 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

O R D E R

This petition has been filed, seeking to direct the respondents to sanction the selection grade to the petitioner in the cadre of secondary grade scale with effect from 01.04.2006 and confer all the consequential benefits.

2. The case of the petitioner is that the petitioner was appointed as B.T.Assistant in the year 1996 in the secondary grade vacancy, however, he should not claim any incentive increment and received salary applicable to the Secondary Grade Teacher from the date of appointment. While so, the government issued G.O.Ms.No.155 School Education Department dated 03.10.2002 directing the teachers appointed in the secondary grade vacancy with higher qualification during the period between 11.07.1995 to 19.05.1998 to undergo Child Psychology Training and appointment should be approved after the completion of the said training. Hence, the petitioner was directed



to undergo Child Psychology Training for one month period and he completed the Child Psychology Training in the month of May, 2003 and his appointment was approved from 02.06.2003 and the petitioner was promoted as B.T.Assistant in the year 2009. Since the petitioner continued in the same cadre without any promotion, he is entitled for selection grade in the said grade. Therefore, the petitioner made a representation on 25.09.2017 for the above said relief. But, so far the said representation was not considered. Hence, this writ petition.

3. Learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 25.09.2017 is disposed of by the respondents at the earliest.

4. Learned Additional Government Pleader appearing for the first respondent has no serious objection to consider the petitioner's representation, in accordance with law.

5. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation dated 25.09.2017 submitted by the petitioner 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.

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

Sd/-

Assistant Registrar(P&A)

// True Copy //

/ /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 District Educational Officer,
Karur District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Correspondent,
Marist Higher Secondary School,
P.Udaiyapatti,
Karur District.

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-9231[F] dated 05/03/2021)

+1 CC to M/s.SPL GP (SR-9500[F] dated 08/03/2021)

W.P. (MD) .No.23638 of 2017
05.03.2021

SRK (CO)
AS (12.05.2021) 3P 5C