



W.P. No.6675 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2022

CORAM

THE HON'BLE MR.JUSTICE **M.S.RAMESH**

W.P. No.6675 of 2013

A.Rajasekar

.. Petitioner

Vs

1.District Elementary Educational Officer,
Nagapattinam,
Nagapattinam District.

2.Assistant Elementary Educational Officer,
Sirkazhi,
Nagapattinam District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the second respondent in his Proceedings O.Mu.No.1175/2012/A2 dated 07.12.2012 and quash the same and direct the respondents to step up the scale of pay of the petitioner on par with that of his junior G.Babu from the date on which the junior was given and confer all the consequential benefits.

For Petitioner : Mr.P.Ganesan for
M/s.C.S.Associates

For Respondents : Mr.S.Yashwanth,
Additional Government Pleader



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ORDER

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This writ petition has been filed, challenging the Proceedings O.Mu.No.1175/2012/A2 dated 07.12.2012 issued by the second respondent and seeking a direction to the respondents to step up his scale of pay on par with his junior G.Babu.

2.The grievance of the petitioner is that there is a pay anomaly between himself and his junior G.Babu and therefore, seeks for rectification of the pay anomaly.

3.Today, when the matter was called, learned counsel for the petitioner produced a copy of the Government Order in G.O. (Ms) No.25 Personnel and Administrative Reforms (FR.IV) Department dated 23.03.2015 whereby, the pay anomaly is said to have been rectified. However, learned counsel submitted that even after issuance of the G.O., there is an anomaly between the pay scale of his junior himself. If that be so, it would be appropriate for the respondents to reconsider the petitioner's request to set right the anomaly.

4.In the light of the above observation, no interference is required to the impugned order. However, the petitioner is granted



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liberty to make an Application to the first respondent seeking for rectification of the alleged pay anomaly and on receipt of the same, the first respondent shall consider it, in the light of Rule 5 of the Tamil Nadu Revised Scales of Pay Rules 2009 and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of such representation. Accordingly, the writ petition stands disposed of. No costs.

20.10.2022

Index : Yes
vga

To

- 1.District Elementary Educational Officer,
Nagapattinam,
Nagapattinam District.
- 2.Assistant Elementary Educational Officer,
Sirkazhi,
Nagapattinam District.



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M.S.RAMESH,J.

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