



WEB COPY



W.P. No.33794 of 2022

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 16.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.33794 of 2022
and
W.M.P. No.33297 of 2022

G.Kamaraju

.. Petitioner

VS

1. The Chief Educational Officer
Salem District, Salem 636 001.

2. The Regional Joint Director
Treasury Audit Branch
Vellore Region, Vellore.

3. The Treasury Officer
District Treasury Office-1
Salem 636 001.

4. The Assistant Treasury Officer
Salem District, Salem 636 001.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to pass appropriate orders for sanctioning Personal Pay to the petitioner working in the post of P.A. to C.E.O (Secondary), Salem in the cadre of High School Headmaster from January 2022 onwards, along with interest for delayed payment at the rate of 12% per annum.



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For Petitioner : Mr.G.Sankaran
For Respondents : Ms.M.Jayanthy
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Ms.M.Jayanthy, learned Additional Government Pleader accepts notice on behalf of the respondents.

3. The petitioner is presently working as Personal Assistant to the Chief Educational Officer, which is an administrative post, equivalent to the cadre of High School Headmaster.

4. The petitioner claims that he is eligible for the scale of pay fixed for the post of High School Headmaster. The post of High School Headmaster carries personal pay of Rs.2,000/- as revised as per G.O.Ms.No.303, Financial [Pay Cell] Department dated 11.10.2017. However, the proposal sent by the first respondent to equate the petitioner's post to that of a High School Headmaster has been returned repeatedly without considering the same. The petitioner relies upon G.O.Ms.No.305, School Education Department dated 17.07.1997 and



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would state that the post of Personal Officer to the Chief Educational Officer is equivalent to a High School Headmaster cadre.

5. According to the petitioner, erroneously, the proposal sent by the first respondent has been returned by the fourth respondent. The last proposal sent by the first respondent to the fourth respondent with regard to the fixation of the petitioner's pay on par with the High School Headmaster is on 23.02.2022. Since the last proposal has also not been considered till date, the petitioner has filed this writ petition.

6. Heard Mr.G.Sankaran, learned counsel for the petitioner and Ms.M.Jayanthi, learned Additional Government Pleader appearing for the respondents.

7. The petitioner has filed documents / Government Orders in support of his case along with this writ petition. It is for the respondents to consider the same on merits and in accordance with law. No prejudice would be caused to the respondents, if the first respondent's proposal dated 23.02.2022, seeking for pay fixation of the petitioner, who is a Personal Officer to the first respondent on par with the High School Headmaster cadre, is considered on merits and in accordance with law within a time frame to be fixed this Court.



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8. For the foregoing reasons, this Court directs the fourth respondent to pass final orders on merits and in accordance with law on the first respondent's proposal dated 23.02.2022 seeking for fixation of the petitioner's pay on par with a High School Headmaster cadre, within a period of twelve weeks from the date of receipt of a copy of this order.

9. With the aforesaid directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.12.2022

Index:Yes/No

Speaking order/Non-speaking order

drm/vsi2

To

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ABDUL QUDDHOSE, J.

(drm)

4. The Assistant Treasury Officer
Salem District, Salem 636 001.

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