



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P (MD) No.17061 of 2020

Subbaiah : Petitioner
Vs.

- 1.The Secretary to Government,
Department of Finance (Pay Cell),
Secretariat, Fort St. George,
Chennai.
 - 2.The Principal Secretary to Government,
School Education Department,
Fort St.George,
Chennai.
 - 3.The Director of School Education (Higher Secondary),
College Road,
Chennai - 6000 006.
 - 4.The Chief Educational Officer,
Sivagangai District.
 - 5.The District Educational Officer,
Devakottai,
Sivagangai District.
- : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, directing the respondents to extend the benefits of G.O.Ms.No. 216, Finance (PC) Department dated 22.03.1993 in the light of the orders passed by a Division Bench of this Court in WP(MD)No.8747 of 2009 dated 14.07.2009 confirmed by the Honble Apex Court in C.C.No. 2746 of 2010 dated 23.04.2010 and in the light of G.O.Ms.No.258, Education (M1) Dept. dated 06.09.2010 and accordingly to award selection / special grade scale of pay w.e.f. 01.06.1988 and to pay revision of pensionary benefits and arrears to the petitioner on the basis of the petitioner's representation dated 15.07.2020.

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.P.T.Thiraviam,
Government Advocate



ORDER

Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

2.The grievance of the petitioner is that his representation dated 15.07.2020, seeking to extend the benefits of G.O.Ms.No. 216, Finance (PC) Department dated 22.03.1993 by awarding selection / special grade scale of pay with effect from 01.06.1988 and for payment revision of pensionary benefits and arrears to the petitioner, has not evoked any response from the respondents. Therefore, the petitioner is before this Court.

3.When the matter is taken up for hearing today, learned Counsel for the petitioner submitted that it would suffice if the representation of the petitioner dated 15.07.2020 is directed to be disposed of, within a stipulated time limit.

4.In view of the limited relief sought for, this Court, without expressing anything on the merits of the case, directs the respondents to consider the petitioner's representation dated 15.07.2020 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dsk

To

1.The Secretary to Government,
Department of Finance (Pay Cell),
Secretariat, Fort St. George,
Chennai.

2.The Principal Secretary to Government,
School Education Department,
Fort St.George, Chennai.



3.The Director of School Education (Higher Secondary),
College Road,
Chennai - 6000 006.

4.The Chief Educational Officer,
Sivagangai District.

5.The District Educational Officer,
Devakottai,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-3683[F] dated 02/02/2022)

W.P (MD) No.17061 of 2020
01.02.2022

RD(11.03.2022) 3P 7C