



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.03.2022**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P (MD) No.19437 of 2019

S.S.Sankaralingam

... Petitioner

Vs.

1.The District Educational Officer,
Melur Educational District,
Melur,
Madurai District.

2.The Block Educational Officer,
Madurai West Union,
Melur Educational District,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire record pertaining to the impugned orders in proceedings Na.Ka.No.12359/A3/2019 dated 30.05.2019 as well in Na.Ka.No.643/Aa1/2018 dated 26.06.2019 passed by the 1st and 2nd respondents and quash the same as bad-in-law and consequently direct the respondents to re-fix the petitioner's salary as on 08.08.2016, on the basis of his representation dated 15.05.2018, within the time stipulated by this Court.

For Petitioner

:Mr.P.M.Vishnuvarthanan

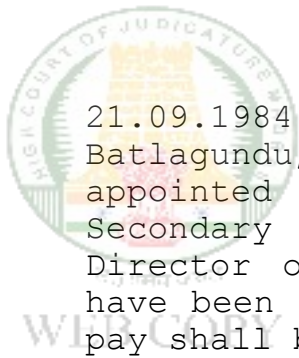
For Respondents

:Mr.D.Sadiq Raja
Addl. Govt.Pleader

O R D E R

The order rejecting the claim of the writ petitioner to step up his pay on par with his junior is under challenge in the present writ petition.

2. The petitioner was initially appointed on 01.02.1984 as Secondary Grade Teacher in Melathaniyam Panchayat Union, Pudukottai District. However, the Junior Tmt.R.Muthuselvi was appointed on



21.09.1984 as Secondary Grade Teacher in St.Thomas Middle School, Batlagundu, Dindigul Education District and thereafter, she was appointed in Kallikudi Union, Nedungkulam Panchayat Union School, as Secondary Grade Teacher. As per the guidelines issued by the Director of Elementary Education, the senior and junior ought to have been appointed in the same union and then alone stepping up of pay shall be considered.

3. In the present case, the petitioner was appointed in Pudukottai and the Junior was appointed in Panchayat Union School at Batlagundu and thereafter, in Panchayat Union at Kallikudi.

4. In view of the fact that junior and senior were appointed in different union, the stepping up of pay is impermissible, as per the orders of the competent authority. Thus, this Court is not inclined to consider the case of the writ petitioner, as there is no infirmity in respect of the reasons given for claim of the writ petitioner. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Deputy Registrar (LA&MC)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MPK

To

1.The District Educational Officer,
Melur Educational District,
Melur, Madurai District.

2.The Block Educational Officer,
Madurai West Union,
Melur Educational District, Madurai District.

+1 CC to M/s.SPL GP (SR-9760,SR-9764[F] dated 03/03/2022)

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-9867[F] dated 03/03/2022)

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RD(16.03.2022) 2P 5C