

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 09.06.2023**CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.11496 of 2021**

Shoba Santhini

... Petitioner

Vs.

1. The District Educational Officer,
O/o.The District Educational Office,
Valliyoor,
Tirunelveli District.

2. The Block Educational Officer,
O/o.The Block Educational Office,
Nanguneri – 627 108,
Tirunelveli District.

3. The Correspondent,
St. Antony Middle School,
Karankadu, Nanguneri Taluk,
Tirunelveli District – 627 108.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to approve permitted salary increment per year from 10.09.2012 to 01.07.2017 and to re-fix the salary on par with VII Pay Commission on the basis of the above increments for the petitioner for her post of Secondary Grade Teacher in the third respondent school within the time frame by considering the written representation of the



third respondent dated 06.08.2019 and the petitioner's representation dated 10.03.2021 and also in the light of the order passed by this Court in W.P.(MD)Nos.14118 of 2020 dated 17.12.2020.

For Petitioner : Mr.M.Rajaravivarma

For R-1 & R-2 : Mr.N.Satheeshkumar,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner was appointed as Secondary Grade Teacher on 10.09.2012 in the third respondent school. On the ground that she was not TET qualified, the authority declined to grant approval. That led to the filing of the writ petition and the writ appeal proceedings ended in favour of the writ petitioner. However, the contempt petition was filed. During the pendency of the contempt petition, the District Educational Officer, Tirunelveli, passed an order dated 05.07.2017 approving the petitioner's appointment with effect from 10.09.2012 and releasing the salary grant to the petitioner with effect from the date of her appointment



till the date of approval by treating the petitioner as temporary capacity.

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3. Now the petitioner wants sanction of increment from the date of her original appointment. He has given a representation in this regard. The first respondent is directed to consider the petition mentioned representation and pass an appropriate order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs.

09.06.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The District Educational Officer,
O/o.The District Educational Office,
Valliyoor,
Tirunelveli District.
2. The Block Educational Officer,
O/o.The Block Educational Office,
Nanguneri – 627 108,
Tirunelveli District.



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4

W.P.(MD)NO.11496 OF 2021

G.R.SWAMINATHAN,J.

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W.P.(MD)No.11496 of 2021

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