



W.P.No.3192 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3192 of 2024 and
W.M.P.No.3456 of 2024

D.Hemalatha

...Petitioner

-Vs-

1. The District Educational Officer (Elementary),
District Education Office,
Villupuram.

2. The Block Educational Officer,
Block Education Office,
Koliyanoor, Villupuram.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records and quash the order passed by the 1st respondent in Naa.Ka.No.1200/Aa3/2023 dated 07.09.2023 and direct the 1st and 2nd respondents to set right the Senior Junior pay Anomaly of the petitioner arising from 08.08.2017 to till date within a time frame as may be fixed by this Hon'ble Court.

For petitioner : Mr.I.M.Siddartha Ramarajan

For respondents : Mr.S.Mythereye Chandru
Special Government Pleader



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ORDER

This writ petition has been filed challenging the order passed by the 1st respondent dated 07.09.2023 thereby rejected the request made by the petitioner to rectify the pay anomaly on par with her junior.

2. The petitioner has working as Primary School Headmaster at Panchayat Union Primary School, Janakipuram, Koliyanoor Block, Villupuram. She had joined as Secondary Grade Teacher on 18.10.1996. After completion of ten years of service she was received selection grade pay. Thereafter, she was promoted to the post of Headmaster on 16.08.2010. Therefore, she had no chance to receive special grade pay in the post of Secondary Grade Teacher. Since she promoted as Headmaster. One Mrs.N.Kalaimani, Headmaster who is presently working at Panchayat Union Primary School, P.Kutchipalayam, Koliyanoor Block, she had joined as Secondary Grade Teacher at Panchayat Union Primary School, T.Mettupalayam, Koliyanoor Block and after completion of ten years she received selection grade pay. On completion of another ten years in the



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same post and she received special grade pay as Secondary Grade Teacher.

Thereafter, she got promoted to the post of Headmaster and received more salary than the petitioner. Therefore, the petitioner submitted her representation.

3. On perusal of the records revealed that the petitioner after completion of ten years she received selection grade pay. Thereafter, she was promoted to the post of Headmaster. Therefore, she is not entitle for any Special Grade Pay. Whereas, her junior was not promoted to the post of Headmaster at Primary School and as such after completion of another ten years she was paid with special grade pay. Therefore, when the petitioner without relinquished the promotion to the post of Headmaster, now, she cannot claim special grade pay in the cadre of Secondary Grade Teacher after completion of twenty years of service. After a period of ten years she was paid selection grade and therefore she got promotion to the post of Headmaster. Therefore, the said pay anomaly cannot be rectified. That apart, the pay anomaly arising between the Senior and Junior seeking incentive should not be rectified if they draw pay in ordinary grade/selection grade/special grade whatever may be the pay anomaly can be set right.



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4. Therefore, this Court cannot find any infirmity or illegality in the order passed by the first respondent dated 28.07.2023. Hence, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

14.02.2024

Index : Yes/No
Internet: Yes/No
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G.K.ILANTHIRAIYAN,J.
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To

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District Education Office,
Villupuram.
2. The Block Educational Officer,
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