



WEB COPY



W.P.No.12974 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

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THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.12974 of 2024

and

W.M.P.Nos.14134 and 14136 of 2024

P.Sathiya

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep by its Secretary,
School Education Department,
Fort St.George, Chennai – 600 009.
- 2.The Director of Schools,
School Education Department,
Chennai – 600 006.
- 3.The Joint Director (Vocational) Education,
School Education Department,
College Road,
Chennai – 600 006.
- 4.The Chief Accounts Officer,
Commissionerate of School Education,
Chennai – 600 006.
- 5.The Headmaster,
Government Girls Higher Secondary School,
Erumappatty,
Namakkal District.

... Respondents



W.P.No.12974 of 2024

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the Audit Objection of the 4th respondent in his proceedings in Na.Ka.No.053130/AKD/2023 dated 03.08.2023 and the 2nd respondent passed a consequential order in Ni.Mu.No.3858/AKD/2024 dated 31.01.2024 and quash the same and direct the respondents to continuously pay the petitioner 3% annual increment in their salary in the post as computer Instructor Grade-I.

For Petitioner : M/s.P.Mahalakshmi

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

This writ petition is filed for a Certiorarified Mandamus, to call for the records relating to the Audit Objection of the 4th respondent in his proceedings in Na.Ka.No.053130/AKD/2023 dated 03.08.2023 and the 2nd respondent passed a consequential order in Ni.Mu.No.3858/AKD/2024 dated 31.01.2024 and quash the same and to direct the respondents to continuously pay the petitioner 3% annual increment in their salary in the post as computer Instructor Grade-I.



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2. When the matter was came up for hearing, both side counsel are at *ad idem* that the issue is covered by the order of this Court made in W.P.Nos.27205 of 2023 etc., batch vide order dated 08.03.2024. Operative portion of the said order reads as follows:-

“10.In view of the above discussions, it cannot be said that the order passed by the Chief Accounts Officer, Chennai, finds with any infirmity. However, the orders passed by the Headmaster of the respective schools, insofar as the recovery of excess salary, cannot be sustained and it is liable to be quashed. Accordingly, the orders passed by the Headmaster of the respective schools, dated 24.08.2023, 25.08.2023, 23.08.2023, 19.07.2023, 21.08.2023, 09.06.2023, 29.05.2023, 14.09.2023, 13.09.2023, 21.09.2023, 07.11.2023, 04.11.2023 are hereby quashed. The respondents are directed to fix the scale of pay to the petitioners in the cadre of Computer Instructor Grade-I in the pay scale of Rs.9,300-34,800+Grade Pay Rs.4,800 and pay the salary accordingly to the petitioners and arrears if any, within a period of eight weeks from the date of receipt of a copy of this order.”

3. Therefore, this Writ Petition is allowed on the above terms.

No costs. Consequently, connected Writ Miscellaneous petitions are closed.

03.06.2024

Neutral Citation :No
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W.P.No.12974 of 2024

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D.BHARATHA CHAKRAVARTHY, J.

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