



WEB COPY



W.P.No.32238 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.32238 of 2016
and
W.M.P.No.27957 of 2016

D.Jayaseeli Violet

... Petitioner

Vs.

1.The District Elementary
Educational Officer,
Nilgiris,
Nilgiris District.

2.The Assistant Elementary
Educational Officer,
Coonoor,
Nilgiris District.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, calling for the records of the 2nd respondent in proceeding bearing Na.Ka.No.1107/A1/2016 dated 10.08.2016 and quash the same.

For Petitioner : M/s.C.Prakasam

For Respondents :
(for R1 & R2) :M/s.Rajarajeswari, Govt. Advocate.



W.P.No.32238 of 2016

ORDER

The above Writ Petition has filed challenging the order dated 10.08.2016 of the 2nd respondent in his proceedings bearing Na.Ka.No.1107/A1/2016 dated 10.08.2016 in and by which the 2nd respondent had cancelled the earlier fixation of pay of the petitioner made on 11.03.2013 and revised the petitioner's pay to Rs.5200 + GP 2800 = Rs.8,000/- at the minimum of the time scale of Rs.5200 – 20200 + GP 2800 by considering the petitioner to be a fresh entrant with effect from 15.07.2009 and not taking into consideration the earlier services rendered by the petitioner in a Private Aided School from 02.12.1997 to 15.07.2009.

2. It is the contention of the petitioner that this order has been passed without any notice and without seeking her explanation. Aggrieved by the same, the petitioner is before this Court.

3. The respondent has filed a counter affidavit refuting the contentions of the petitioner. However, it is not the case of the respondents that the impugned order has been passed after hearing the petitioner.



W.P.No.32238 of 2016

WEB COPY

4. The contention of the petitioner is evident from a reading of the impugned order. Taking into account the above contention and to sub-serve the interest of justice, the Writ Petition is disposed of remitting the matter back to the 2nd respondent with a direction to the 2nd respondent to hear the matter afresh after affording an opportunity to the petitioner to make her submissions/objections to the re-fixation of the pay and thereafter pass orders. No costs. Consequently, the connected Miscellaneous Petition is closed.

10.06.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The District Elementary
Educational Officer,



W.P.No.32238 of 2016

Nilgiris,
Nilgiris District.

WEB COPY

2.The Assistant Elementary
Educational Officer,
Coonoor, Nilgiris District.



WEB COPY



W.P.No.32238 of 2016

P.T. ASHA. J.,

(shr)

W.P.No.32238 of 2016

and

W.M.P.No.27957 of 2016

10.06.2024