



WEB COPY



W.P. No.9972 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM

THE HONOURABLE **MRS JUSTICE R. KALAIMATHI**

W.P. No.9972 of 2016

V.P.Hemalatha

...Petitioner

Vs

1. The Government of Tamilnadu,
Represented by its Secretary to Government,
School Education Department,
Fort St.George, Chennai – 600 009.

2. The Director of School Education,
College Road,
Chennai – 600 006.

3. The Chief Educational Officer,
Vellore, Vellore District.

4. The Head Master,
Government Higher Secondary School,
Madhanur,
Vellore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus, to direct the first respondent to pay the grade pay arrears from 01.01.1996 to 01.07.2001 as per the petitioner's representation dated 02.06.2015.

For Petitioner
For Respondents

: Mr.M.Thamizhavel
: Mr.T.M.Rajangam,
Government Advocate (Education)



W.P. No.9972 of 2016

ORDER

WEB COPY

This writ petition has been filed directing the 1st respondent to pay the grade pay arrears from 01.01.1996 to 01.07.2001 as per the petitioner's representation dated 02.06.2015.

2. The petitioner was originally appointed on 08.08.1961 as Teacher at Panchayat Union Elementary School, Gudiyatham. Her scale of pay was fixed at Rs.90-4-110-3 and was awarded Selection Grade on 01.10.1984 and the Scale of Pay was fixed as Rs.400-15-490-650-25. He was awarded Special Grade on 01.01.1984, thereafter his scale of pay was fixed as Rs.705-2-745-25-845. Again she was transferred to Government Higher Secondary School, Mathanur as Tamil Pandit on 01.10.1985 and she was awarded Selection Grade in Tamil Pandit on 09.09.1997 and her scale of pay was fixed as Rs.7600+PP150-550-175-9000 and was superannuated on 01.07.2001 and at that time she was drawing Rs.8,425/-.

3. The learned counsel for the petitioner contended that the Government of India has issued an Order dated 28.01.2013 to count the grade pay for the purpose of pension. As ordered by the Government of India, the Government of



W.P. No.9972 of 2016

Tamil Nadu did not implement the grade pay for the retired persons. This resulted in losing a sum of Rs. 800/- to 1400/- every month in the pension pay due to non implementation of the grade pay. More so, the petitioner has given a representation dated 02.06.2015 to the respondents.

4. Heard Mr.M.Thamizhavel, learned counsel appearing for the petitioner and Mr.T.M.Rajangam, learned Government Advocate appearing for the respondents.

5. In the given facts and circumstances of the case, this writ petition is allowed with a direction to the respondents to consider the petitioner's representation 02.06.2015 and pass necessary orders preferably within a period of two months from the date of receipt of a copy of this order. No costs.

15.04.2024

(4/14)

dpq

Index: Yes/No

Speaking/Non speaking order



W.P. No.9972 of 2016

To

1. The Government of Tamilnadu,
Represented by its Secretary to Government,
School Education Department,
Fort St.George, Chennai – 600 009.
2. The Director of School Education,
College Road,
Chennai – 600 006.
3. The Chief Educational Officer,
Vellore, Vellore District.
4. The Head Master,
Government Higher Secondary School,
Madhanur,
Vellore District.



WEB COPY



W.P. No.9972 of 2016

R. KALAIMATHI, J.

dpq

W.P. No.9972 of 2016

(4/14)

15.04.2024