



WEB COPY



W.P. No.9978 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM

THE HONOURABLE **MRS JUSTICE R. KALAIMATHI**

W.P. No.9978 of 2016

N.Vadivelu

... 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 Boys Higher Secondary School,
Arakonam,
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 31.08.2008 as per the petitioner's representation dated 16.10.2015.

For Petitioner

: Mr.M.Thamizhavel

For Respondents

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



W.P. No.9978 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 31.08.2008 as per the petitioner's representation dated 16.10.2015.

2. The petitioner was originally appointed on 29.11.1972 as Craft Teacher at Melpattu Government High School. His scale of pay was fixed at Rs.210-5-245-10-325 and was awarded Selection Grade on 29.11.1982 and the Scale of Pay was fixed as Rs.475-400-15-490-20-650-25-700. He was awarded Special Grade on 29.11.1992, thereafter his scale of pay was fixed as Rs.1400-50-2300-60-2600. Thereafter, he was promoted on 09.09.1997 as a Tamil Teacher and was transferred to Government Boys Higher Secondary School, Thirumalpuril and his scale of pay was fixed as Rs.2240+40PP 1640-60-2300-75-2900 and again promoted on 29.11.2007 as Tamil Teacher and his scale of pay was Rs.5900-200-9900. He was superannuated on 31.08.2008 and at that time he was drawing Rs.10,500/-.

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



W.P. No.9978 of 2016

purpose of pension. As ordered by the Government of India, the Government of Tamil Nadu did not implement the grade pay for the retired persons. This resulted in loosing 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 16.10.2015 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 16.10.2015 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

dpq
(10/14)
Index: Yes/No
Speaking/Non speaking order



WEB COPY



W.P. No.9978 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 Boys Higher Secondary School,
Arakonam,
Vellore District.



WEB COPY



W.P. No.9978 of 2016

R. KALAIMATHI, J.

dpq

W.P. No.9978 of 2016
(10/14)

15.04.2024