



WEB COPY



W.P. No.9979 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM

THE HONOURABLE **MRS JUSTICE R. KALAIMATHI**

W.P. No.9979 of 2016

J.Rajeshwari

...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 AEO,
RTO Office Street,
Vinayagapuram, Gudiyatham,
Vellore.

5. The Head Master,
Thiruvalluvar Aided Elementary School,
Gudiyatham,
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



W.P. No.9979 of 2016

arrears from 01.01.1996 to 30.11.2003 as per the petitioner's representation dated 17.12.2015.

For Petitioner : Mr.M.Thamizhavel

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

ORDER

This writ petition has been filed directing the 1st respondent to pay the grade pay arrears from 01.01.1996 to 30.11.2003 as per the petitioner's representation dated 17.12.2015.

2. The petitioner was originally appointed on 22.10.1973 as Secondary Grade Teacher at Thiruvalluvar Aided Elementary, Gudiyatham, Vellore district. His scale of pay was fixed at Rs.210-5-245-10-325 and was awarded Selection Grade on 22.10.1983 and the Scale of Pay was fixed as Rs.400-15-490-20-650-25-700. She was awarded Special Grade on 22.10.1993 thereafter his scale of pay was fixed as Rs.1040-60-2000-75-2900. She was superannuated on 30.11.2003 and at that time, she was drawing Rs.7,900/-.

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.9979 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 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 17.12.2015 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 17.12.2015 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
(11/14)

dpq
Index: Yes/No
Speaking/Non speaking order



W.P. No.9979 of 2016

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R. KALAIMATHI, J.



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