



W.P. No.9981 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM

THE HONOURABLE **MRS JUSTICE R. KALAIMATHI**

W.P. No.9981 of 2016

R.Sabapathi

...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,
SKM MPL High School,
Kaspa,
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 31.08.2004 as per the petitioner's representation dated 18.01.2016.



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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 31.08.2004 as per the petitioner's representation dated 18.01.2016.

2. The petitioner was originally appointed on 06.12.1966 as Secondary Grade Teacher, Municipal Higher Secondary School, Vellore district. His scale of pay was fixed at Rs.90-4-110-3-140 and was awarded Selection Grade on 10.02.1977 and the Scale of Pay was fixed as Rs.210-05-245-10-325 and thereafter he was promoted as BT Assistant and his scale of pay was fixed as Rs.780-35-1025-40-1385 and then transferred to SKM MPL High School, Kaspas. He was superannuated on 31.08.2004 and at that time he was drawing Rs.9725/-.

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



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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 18.01.2016 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 18.01.2016 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
(13/14)

dpq
Index: Yes/No
Speaking/Non speaking order



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To
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R. KALAIMATHI, J.

dpq

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