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Writ Petition No.23126 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 16.08.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.23126 of 2024**

**and**

**W.M.P.No.25250 of 2024**

P.Srinivasan

S/o.Perumal

... Petitioner

Vs.

1.The Joint Director of School  
Education (Personnal),  
DPI Campus, College Road,  
Chennai.

2.The Chief Educational Officer,  
Thiruvannamalai.

3.The District Educational Officer (Secondary),  
District Educational Office,  
Thiruvannamalai.

4.The Headmaster,  
Government Boys Modal Higher Secondary School,  
Kalasapakkam, Thiruvannamalai District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings passed by the first respondent in O.Mu.No.68668/L/E4/2023 dated 22.05.2023 and quash the same as illegal and consequently, direct the respondents to forward



Writ Petition No.23126 of 2024

the entire file to the first respondent to re-fix the scale of pay on par with petitioner's junior with effect from the date of difference and pay all consequential and other monetary benefits.

For Petitioner : Ms.P.Rajalakshmi

For Respondents : Mrs.P.Rajarajeshwari,  
Government Advocate

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### **ORDER**

This writ petition has been filed challenging the impugned proceedings of the first respondent in O.Mu.No.68668/L/E4/2023 dated 22.05.2023 and for a consequential direction to respondents to forward the entire file to the first respondent in order to enable the first respondent to re-fix the scale of pay on par with petitioner's junior with effect from the date of which the refixation must be effected with all consequential benefits.

2. Heard Ms.P.Rajalakshmi, learned counsel for petitioner and Mrs.P.Rajarajeshwari, learned Government Advocate appearing for respondents.



Writ Petition No.23126 of 2024

3. The case of the petitioner is that the petitioner was working as a Headmaster in the Erumaipatti Government Higher Secondary School, Thiruvannamalai. The petitioner was directly appointed as Secondary Grade Teacher through Employment Exchange on 11.08.1997 and promoted as B.T.Teacher on 15.08.2001 and was further promoted as P.G.Assistant on 08.07.2008. Ultimately, the petitioner was promoted as High School Headmaster on 19.08.2015 and he retired from service on 31.03.2024.

4. The grievance of the petitioner is that one Karunakaran, who is junior to the petitioner in all respects was getting higher scale of pay. In view of the same, the petitioner made a representation to the second respondent on 10.06.2022 to re-fix the scale of pay on par with his junior Karunakaran. The representation was considered by the first respondent and he has returned it back with an endorsement that necessary records have not reached the first respondent. In turn, it was returned by the second respondent to the third respondent and the third respondent has returned to the file of fourth respondent.



Writ Petition No.23126 of 2024

5. The petitioner has already retired from service and he is asking for stepping up of pay on the ground that his junior is drawing a higher scale of pay. The service register and other records will be available with respondents 2 and 3. It is not necessary to drive the petitioner to secure the records, which are very much available with the authorities. Hence, this Court is inclined to direct the authorities to deal with the claim made by the petitioner with the records that are already available and pass necessary orders in accordance with law within a time frame.

6. In the light of the above discussion, there shall be a direction to the petitioner to make a fresh representation to the first respondent along with all the records available with him. On receipt of the same, the first respondent can direct the respondents 2 and 3 to furnish all the details regarding the petitioner and the above said Karunakaran. On receipt of the same, the first respondent shall pass appropriate orders strictly in accordance with law. This process shall be completed by the first respondent within a period of twelve (12) weeks from the date of receipt of a copy of this order.



Writ Petition No.23126 of 2024

This writ petition is disposed of with the above direction. No

costs. Consequently, connected miscellaneous petition is closed.

**16.08.2024**

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order  
gm

To

- 1.The Joint Director of School  
Education (Personnal),  
DPI Campus, College Road,  
Chennai.
- 2.The Chief Educational Officer,  
Thiruvannamalai.
- 3.The District Educational Officer (Secondary),  
District Educational Office,  
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- 4.The Headmaster,  
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Kalasapakkam, Thiruvannamalai District.



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Writ Petition No.23126 of 2024

**N.ANAND VENKATESH, J**

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**Writ Petition No.23126 of 2024**

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