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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29436 of 2024

S.Sathic Batcha

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Finance Department,
Secretariat, Fort St George,
Chennai – 600 009.

2.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai – 600 009.

3.The Director of Education,
DPI Campus, College Road,
Chennai – 600 006.

4.The Member Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Chennai – 600 006.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents to pass orders by considering the representation submitted by petitioner dated 29.07.2024 for revision of scale of pay for the Petitioner in the Post of Graduate Assistant (Physics) in the pre-revised scale of pay of 5500-175-9000 as stated in the call letter for certificate verification and order of selection with corresponding revised scale of pay as Rs.10230 + 4600 GP applying 1.86 method from the date of their initial appointment with all consequential and other attendant benefits including arrears of salary, within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Sarath Chandran

For Respondents : Mr.P.Balathandayutham
Special Government Pleader for R1

Mrs.S.Mythreye Chandru
Special Government Pleader
for R2 & R3

Mr.R.Siddarth
Standing Counsel for R4

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to pass orders on the representation made by the petitioner on 29.07.2024, wherein, the petitioner has sought for revision of scale of pay in the



post of B.T. Assistant (Science) in the pre-revised scale of pay from the date of his initial appointment with all consequential and attendant benefits.

2.Heard Mr.S.Sarath Chandran, learned counsel appearing on behalf of the petitioner, Mr.P.Balathandayutham, learned Special Government Pleader appearing on behalf of the 1st respondent, Mrs.S.Mythreye Chandru, learned Special Government Pleader appearing on behalf of respondents 2 and 3 and Mr.R.Siddarth, learned Standing Counsel appearing on behalf of the 4th respondent.

3.The case of the petitioner is that the 4th respondent conducted the selection process for appointment to the post of Graduate Assistant with respect to the vacancies for the academic year 2007-2008 in the education department. The petitioner participated in the said selection and he also attended the Certificate Verification on 17.09.2008. The petitioner did not get his call letter even though his name found place in the selection list. After a lot of effort, the petitioner was selected and appointed to the post of Graduate Assistant (Physics) on 23.03.2009. The appointment got delayed due to the Election Code



of Conduct and the petitioner was able to join duty only on 07.08.2009. As per the call letter received by the petitioner, the scale of pay was fixed as Rs.5,000-175-9000.

4.The further case of the petitioner is that after the advent of the revised scale of pay notified in G.O.Ms.No.234, dated 01.06.2009, the scale of pay of the petitioner was fixed at Rs.9,300/- + Rs.4,400/- GP instead of corresponding revision of scale of pay for Rs.5,000-175-9000 for which the petitioner was already entitled. Accordingly, the petitioner is claiming that the pay should have been fixed at Rs.10,230/- + Rs.4,600/- GP.

5.The petitioner made a representation in this regard on 29.07.2024 to the respondents seeking revision of scale of pay from the date of his initial appointment. The petitioner also relied upon the orders passed with respect to similarly placed persons by this Court. Since the same was not considered, the present writ petition has been filed before this Court.



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6. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the 1st and 2nd respondents to deal with the representation made by the petitioner on 29.07.2024 on its own merits and in accordance with law and in line with the relevant Government Order and the earlier orders passed by this Court and final decision shall be taken, within a period of twelve weeks from the date of receipt of copy of this order.

7. The petitioner is directed to make a fresh representation to the 1st and 2nd respondents along with all the relevant documents and also a copy of this order.

8. This writ petition is disposed of with the above directions. No Costs.

15.10.2024

Internet : Yes / No
Index : Yes / No
Speaking Order / Non Speaking Order
SSR



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N. ANAND VENKATESH, J.

SSR

To

1. The Principal Secretary to Government,
State of Tamil Nadu,
Finance Department,
Secretariat, Fort St George,
Chennai – 600 009.
2. The Principal Secretary to Government,
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