



WP(MD) No.8408 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.8408 of 2024

A.Jeyakumari

... Petitioner

Vs.

1.The State of Tamilnadu

Represented by its
Principal Secretary to Government,
School Education Department,
Secretariat,
Chennai.

2.The Director of Elementary School Education,
College Road,
Chennai - 600 006.



WP(MD) No.8408 of 2024

WEB COPY

3.The District Educational Officer,
Dindigul District,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the representation dated 12.01.2024 and to give the petitioner's the benefit of the order given by the above Hon'ble High Court and the benefits of the G.O.(Ms).No.210 dated 14.08.2009 and G.O.(Ms).No.190 dated 12.07.2010 and fix the pay in the pay scale of Rs.2200-75-2800-100-4000 in the post of Middle School Graduate Head Master on 01.06.1988 and provide monetary benefits.

For Petitioner : Mrs.S.Devasena

For Respondents : Mr.M.Siddharthan,
Special Government Pleader



WEB COPY



WP(MD) No.8408 of 2024

ORDER

The petitioner has filed this Writ Petition seeking a Writ of Mandamus to direct the respondents to consider the representation, dated 12.01.2024 and to give the petitioner the benefit of the order issued by the Hon'ble High Court and the benefits of the G.O.(Ms).No.210 dated 14.08.2009 and G.O.(Ms).No.190, dated 12.07.2010 and fix the pay in the pay scale of Rs.2200-75-2800-100-4000 in the post of Middle School Graduate Head Master on 01.06.1988 and to provide monetary benefits.

2. Heard Mrs.S.Devasena, learned counsel for the petitioner and Mr.M.Siddharthan, learned Special Government Pleader for the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



WP(MD) No.8408 of 2024

WEB COPY

4. The claim of the petitioner is that from 02.10.1970 onwards the post of Middle School Headmaster became a promotional post with higher time scale of pay in elementary education and additional qualification B.T., B.Ed., degree was also insisted for the said post. The time scale of pay for the middle School Headmaster qualified with B.Ed., degree was higher than the Middle School Headmaster of Secondary Grade. The petitioner claims that she is qualified with B.Ed., and hence, even at that relevant point of time, she should have been given higher pay than the Secondary Grade Middle School Headmaster. Further, as per G.O.Ms.No.1383 Education (PUS-I) Department dated 23.08.1988, the Headmasters/Headmistresses of Middle Schools B.Ed., cadre were classified as Class-I category carrying a higher time scale of pay of Rs.780-35-1020-40-1385 plus special pay of Rs.35/-. Despite the petitioner has got the required qualification to get the higher pay and so far, she has not been given the said benefit. The petitioner has also given a representation, dated 12.01.2024.



WP(MD) No.8408 of 2024

WEB COPY

5. The learned counsel appearing for the petitioner has submitted that similarly placed persons who have already raised the issue before the Court had got favourable orders. The Government has passed an order in G.O.Ms.No.210, School Education, dated 14.08.2009 and G.O.Ms.No.190 dated 12.07.2010 and implemented the directions of the Court.

6. Since the Government itself has passed the Government Order only on the basis of same, the Court has issued direction in respect of the individuals. But the respondent Government need not wait or expect that every individual should go to the Court and obtain the order. Since the entitlement has already been established by virtue of earlier Government Order issued in this regard, the petitioner's representation, dated 02.01.2024, shall be considered positively and orders shall be passed on its own merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.



WP(MD) No.8408 of 2024

WEB COPY

7. With the above directions, this Writ Petition is
disposed of. No costs.

03.04.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

RM



WP(MD) No.8408 of 2024

WEB COPY

To

- 1.The State of Tamilnadu
Represented by its
Principal Secretary to Government,
School Education Department,
Secretariat,
Chennai.
- 2.The Director of Elementary School Education,
College Road,
Chennai - 600 006.
- 3.The District Educational Officer,
Dindigul District,
Dindigul.



WEB COPY



WP(MD) No.8408 of 2024

R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.8408 of 2024

Dated:
03.04.2024