



WP(MD). No.15897 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 16/07/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.15897 of 2024

Umavathy R

... Petitioner

Vs

1. The Chief Educational Officer,
Sivagangai District,Sivagangai.

2. The District Educational Officer,
Devakottai Educational District,
Devakottai, Sivagangai District..

3. The Block Educational Officer,
Devakottai Block, Devakottai
Educational District, Devakottai,
Sivagangai District..

... Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to approve the petitioners appointment as Second Grade Teacher with effect from 24.04.2009 and to disburse the benefits to the petitioner with effect from 24.04.2009, on the basis of the petitioner's representation dated 14.06.2024.



WP(MD). No.15897 of 2024

For Petitioner : M/s.M.Rajarajan
For Respondent : Mr.T.Amjad Khan
Government Advocate

ORDER

By consent of both sides, the writ petition itself is taken up for final disposal at the admission stage itself.

2. Heard Mr.M.Rajarajan, learned counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate for the respondents.

3. The petitioner has filed this writ petition to direct the respondents to approve the petitioner's appointment as Secondary Grade Teacher with effect from 24.04.2009 and to disburse the benefits to the petitioner with effect from 24.04.2009 on the basis of the petitioner's representation dated 14.06.2024.

4. The petitioner was appointed as Secondary Grade Teacher as early as on 24.04.2009. However, her pay scale was not revised as per the 6th pay commission, ie., from 01.06.2009. Since as per 4(1) of Tamil Nadu Revised Scales of Pay Rules, 2009, the persons, who have



WP(MD). No.15897 of 2024

appointed between 01.01.2006 and 01.06.2009 are entitled for the revised pay structure. Though the petitioner has joined as early as on 24.04.2009, she was not granted the said benefits. Hence, she made a representation to the respondents on 14.06.2024. Since the said representation was not considered, the petitioner is before this Court.

5. The learned counsel for the petitioner submitted that if the approval of the appointment of the petitioner as Secondary Grade Teacher is given with effect from 01.06.2009, she will be entitled to get the pay revision benefits.

6. It is to be noted that in the order of approval dated 20.01.2010, it has been clearly stated that the proposal of the school itself is sent on 01.06.2009 by considering the petitioner's appointment to the vacancy arose in view of the retirement of one Saraswathy, who superannuated on 30.06.2008. Had the proposal of the school been sent at the first instance by stating the date of appointment as 24.04.2009, then, it would have been appropriate for the respondents to consider the approval with effect from 01.06.2009. Neither the petitioner nor the school authority has



WP(MD). No.15897 of 2024

challenged the approval granted to the petitioner by stating that her date of appointment is before 01.06.2009, ie.,on 24.04.2009. Therefore, it is up to the respondents to consider the case of the petitioner.

7. In view of the above, the writ petition is disposed of by directing the respondents to consider the case of the petitioner on merits and pass orders. No costs.

16.07.2024

RR

TO

1. The Chief Educational Officer,
Sivagangai District,
Sivagangai.

2. The District Educational Officer,
Devakottai Educational District,
Devakottai, Sivagangai District..

3. The Block Educational Officer,
Devakottai Block, Devakottai
Educational District,
Devakottai, Sivagangai District..



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WP(MD). No.15897 of 2024

R.N.MANJULA,J

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**ORDER
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