



W.P.(MD) No.20588 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.03.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.20588 of 2021

&

W.M.P.(MD).17232 of 2021

Subramanian

... Petitioner

Vs.

1.The District Educational Officer
Dindigul Educational District
Dindigul
Dindigul District.

2.The Block Educational Officer
Dindigul Union (Rural)
Dindigul Educational District
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire record pertaining to the impugned orders in proceedings Oo.Mu.No. 1271/A4/2020 dated 27.08.2020 which was communicated by the 2nd respondent vide his proceedings in Oo.Mu.No.1683/A1/2019 dated 01.09.2020 and quash the same as bad-in-law and consequently direct the



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respondents to re-fix my salary as on 01.10.2013 on the basis of my representation dated 12.11.2018.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.V.Om Prakash, Govt.Advocate

ORDER

The claim of the petitioner for stepping up of his pay on par with his junior one S.Selvaraj was rejected by the 2nd respondent through impugned proceedings dated 01.09.2020 on the ground that the petitioner and the said claimed junior viz., S.Selvaraj were appointed in different unions and therefore the petitioner is not entitled for stepping up of his pay on par with the said S.Selvaraj.

2. The 1st respondent filed counter affidavit and perusal of the same indicates that the petitioner herein as well as the said S.Selvaraj were initially appointed as Secondary Grade Teacher in Natham Panchayat Union and subsequently they were transferred to Dindigul Panchayat Union and they have been working in the said unit in the cadre of Primary School Headmaster. Therefore, the reason on which the claim of the petitioner was



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rejected is wholly unsustainable and hence the impugned order cannot be sustained.

3. Accordingly, the impugned order is set aside and the matter is remanded back to the 2nd respondent for considering the claim of the petitioner afresh for stepping up of his pay on par with the claimed junior S.Selvaraj by duly verifying the records and pass appropriate orders in accordance with law as expeditiously as possible at any rate within a period of two months from the date of receipt of a copy of this order. Accordingly, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

19.03.2024

NCC : Yes/No
Index : Yes/No
kpr



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MUMMINENI SUDHEER KUMAR, J.

kpr

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