



W.P.No. 6616 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 26.02.2025

CORAM:

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.6616 of 2025

Mariya Joseph

... Petitioner

VS

1. The Director of Elementary Education,
DPI Campus, College Road,
Chennai 600 006.
2. The District Educational Officer (Elementary),
Villupuram District, Villupuram.
3. The Block Educational Officer,
Vikaravandi Block,
Villupuram District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue an order, writ or any other direction particularly, a writ of Mandamus directing the respondents to grant the relief of stepping up of pay of the petitioner to the level of his junior at Rs.26,580/- as on 04.01.2012 and issue a consequential direction to grant arrears of pay and extend the same in subsequent pay revisions.

For Petitioner	:	Mr. R. Saseetharan
For Respondents	:	Ms. Mythreye Chandru
		Special Government Pleader.



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ORDER

This Writ Petition has been filed in the nature of a mandamus seeking a direction particularly against the second respondent to grant the relief of stepping up of pay of the petitioner to the level of his junior at Rs.26,580/- as on 04.01.2012 and also pay arrears and extend the benefit of subsequent pay revision.

2. In the affidavit filed in support of the writ petition, it had been stated that the petitioner had been initially appointed as a secondary grade teacher at Vikravandi Panchayat Union, Villupuram District, on 06.10.1988. The petitioner was granted selection grade on 06.10.1998. Thereafter, the petitioner was promoted as a primary school headmaster on 26.06.2006 in a Panchayat Union Primary school, Kongarampoondi, in the same panchayat union. The petitioner was granted incentive increment for B.Ed. qualification. The petitioner was also granted another incentive for M.A. degree qualification. The petitioner was then promoted to B.T. Assistant on 26.12.2007.

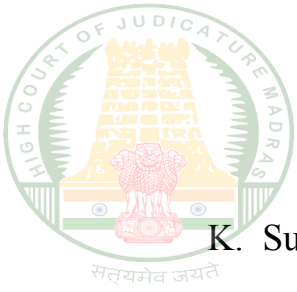


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3. It had been stated that when the pay was fixed, K.Sumathi, who is junior to the petitioner was fixed a lower pay of scale, namely, the primary school headmaster scale, but, however, the said Sumathi was also granted selection grade and later in the revised scale of pay as on 2009 and was also promoted as primary school headmistress. It is stated that there has been a pay anomaly between the pay granted to the petitioner and the pay granted to the junior K.Sumathi. In this connection, the petitioner had earlier filed a writ petition in W.P.No.31332/2013 and an order was passed on 07.08.2020 dismissing the said writ petition. But, however, the petitioner filed a further appeal in W.A. No.1696/2022 and by a judgment dated 18.08.2022, the Division Bench had directed that pay of the petitioner should be revised in accordance with the guidelines. There has been part compliance of the directions of the Division Bench. The present Writ Petition has been filed for proper compliance of the orders of the Division Bench.

4. Heard the learned counsel for the respondents.

5. A direction is issued to the second respondent to examine the service records of the petitioner and also the service records of the junior



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K. Sumathi and examine the ratio laid down in the writ appeal and thereafter proceed to determine the pay of the petitioner and correct the anomaly in the pay structure as between the petitioner and the junior of the petitioner. Necessary pay revision and other monetary benefits must also be extended to the petitioner. The representation of the petitioner should be disposed of within a period of four weeks and communicated to the petitioner herein. If the petitioner is held to be entitled for the revision of pay as sought for, an outer time limit within which the monetary benefit would be extended may also be indicated.

6. With the above directions, the Writ Petition stands disposed of.

No costs.

26.02.2025

Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

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C.V. KARTHIKEYAN, J.

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