



WEB COPY



W.P.No.20481 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.P.No.20481 of 2025

and

W.M.P.Nos.23121 & 23123 of 2025

A.Natarajan

... Petitioner

Vs.

1. The Director of Elementary Education,
College Road,
Chennai – 600 006.
2. The District Educational Officer,
Villupuram District,
Villupuram.
3. The Block Educational Officer,
Vikravandi Panchayat Union,
Vikravandi,
Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of Certiorarified Mandamus, calling for the records of the respondents in relation to the proceedings issued in Na.Ka.No. 426/A4/2024 dated 30.04.2024 and in Rc.No. 617/A1/2024 dated 19.07.2024 issued by the second and third respondent, respectively, and quash the same



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and issue a consequential direction to the respondents to release the amount of Rs.7,02,753/- recovered from petitioner's gratuity with interest at 18 % per annum and to restore the proceedings of the second respondent issued in Na.Ka.No. 661/A4/2022/6423 dated 06.04.2023 and to fix the last drawn pay of the petitioner accordingly and to fix pension and to grant arrears of pay and pension.

For Petitioner : Mr.R.Saseetharan

For Respondents : Mr.S.Mythreye Chandru
Special Government Pleader

ORDER

The writ petition has been filed challenging the proceedings dated 30.04.2024 and 19.07.2024, issued by the second and third respondent, respectively.

2. The case of the petitioner is that, he was retired on 31.05.2024. While he was in service, his claim for stepping up of pay to the level of his junior was considered by the District Educational Officer vide proceedings dated 06.04.2023 and pay of the petitioner is stepped up to the level of his junior and fixed at Rs.19,750/- from 15.04.2009 and pay anomaly was rectified. After retirement, the District Educational Officer, by proceedings dated 30.04.2024, cancelled the earlier proceedings dated 06.04.2023 by



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citing G.O.Ms.643 dated 21.12.2023 and ordered for recovery of

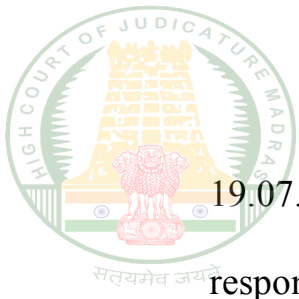
Rs.7,02,753/-. The petitioner has not been given an opportunity of hearing and notice before the cancellation of earlier proceedings and before issuing direction for recovery of payments. Hence, the present writ petition is filed.

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3. Learned Counsel for the petitioner would submit that the petitioner is entitled for selection grade pay and based upon her entitlement, his pay has to be stepped up. Though the respondents has stepped up the pay, has not considered the Selection Grade pay received by the petitioner.

4. In this connection, the learned Special Government Pleader would fairly submit that the petitioner is entitled for Selection Grade pay. In such view of the matter, the impugned order which did not deal about the Selection Grade is liable to be set aside. She would further submit that initially the petitioner was granted Selection Grade pay. However, through the impugned order, the Selection Grade pay was cancelled.

5. In view of the above, the impugned order dated 30.04.2024 and



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19.07.2024 are quashed. Further, the matter is remanded back to the second respondent for fresh consideration, to consider the petitioner's case of stepping up of pay and for Selection Grade pay. It is made clear that, if any amount is recovered from the petitioner, the respondents are directed to refund the same without interest within a period of six weeks from the date of receipt of a copy of this order.

6. In the result, the Writ Petition is allowed. No costs.
Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking order/Non-speaking order
Neutral Citation: Yes/No



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C.KUMARAPPAN, J.

veda

To

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