



W.P.(MD)No.6844 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.6844 of 2025

S.Sebastian

... Petitioner

Vs.

1.The Accountant General,
Office of the Accountant General,
361, Annasalai, Chennai – 600 018.

2.The Headmistress,
Government Higher Secondary School,
Anumanthankudi – 630 303,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to forthwith to revise the grade pay of petitioner in the post of BT Assistant as Rs.4,600/- notionally from 01.01.2008 and with monetary benefit with effect from 01.01.2011 and subsequently revising his pay and his pension by making necessary entries in the Service Register of the petitioner and sending the same to the first respondent for further action as per the recommendation of the first respondent Accountant General dated 17.05.2022, 10.11.2022 and 22.11.2023.



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For Petitioner : M/s.A.Amala
For R1 : Mr.P.Gunasekaran
For R2 : Mr.M.Siddharthan
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner, the learned Standing Counsel for the first respondent and the learned Additional Government Pleader for the second respondent.

2. The petitioner was appointed as Secondary Grade Teacher on 19.03.1986. He was awarded with selection grade and special grade on 19.03.1996 and 19.03.2007 respectively. He was promoted as B.T.Assistant (Social Science) on 01.11.2007. He retired from service on 31.05.2022. While fixing the pay for B.T.Assistant, he was given with an option either to continue with the pay fixed for Secondary Grade Teacher special grade pay with yearly increment and promotional increment or to choose the promotional post of B.T.Assistant pay. Since the sixth pay was not introduced as the petitioner was drawing higher pay as Secondary Grade Teacher special grade pay with promotional increment, he was constrained to opt the Secondary Grade Teacher



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special grade pay. In order to revise the petitioner's pay as B.T.Assistant, he submitted a representation on 19.04.2022 prior to the date of his retirement. On receipt of the same, the first respondent vide proceedings, dated 17.05.2022 informed the second respondent to revise the pay fixation as well as the pension and directed to send the revised proposal based on B.T.Assistant Grade pay. The second respondent did not revise the pay fixation as per the instructions of the first respondent. Once again, the first respondent informed the second respondent vide letter dated 10.11.2022 to send the revised proposal. Till now, the proposal sought by the first respondent was not sent by the second respondent. Aggrieved by the same, the present writ petition is filed.

3. Considering the facts and circumstances of the case, it appears that inspite of specific instructions from the first respondent, the second respondent is not sending the proposal to revise the grade pay of the petitioner in the post of B.T.Assistant till now. without proposal from the second respondent, the first respondent could not pass any orders in favour of the petitioner.

4. In view of the same, it is appropriate and reasonable to dispose of this writ petition at the admission stage with the consent of both parties without



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going into the merits of the case with a direction to the second respondent to send the revised proposal as sought by the first respondent forthwith to the first respondent to meet the ends of justice.

5. Accordingly, the writ petition is disposed of with the following directions:

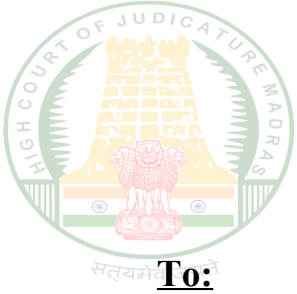
1. The second respondent shall submit proposal to revise the grade pay of the petitioner in the post of B.T.Assistant notionally from 01.01.2008 and with monetary benefits with effect from 01.01.2011 to the first respondent forthwith.

2. On receipt of the said proposal, the first respondent shall take further action and pass appropriate orders within a period of four weeks thereafter.

No costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



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BATTU DEVANAND, J.

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