



W.P.(MD)No.18108 of 2021

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DATED: 27.10.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.18108 of 2021

and

W.M.P.(MD)No.14938 of 2021

G.Amalraj

: Petitioner

Vs.

1.The Commissioner of School Education,
O/o. Directorate of School Education,
DPI Campus,
College Road, Chennai.

2.The Joint Director of School Education (NSS),
O/o. Joint Director of School Education (NSS),
Chennai – 600 006.

3.The Chief Educational Officer,
O/o. Chief Educational Office,
Dindigul District.

4.The District Educational Officer,
O/o. District Educational Office,
Vathalakundu,
Dindigul District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent vide his impugned proceedings in ஓ.மு.எண்.032255 / எல்/இ3/2021 dated 17.08.2021 and quash the same as illegal and consequently to direct the respondents to step up the pay of the petitioner on par with his juniors and confer all the consequential benefits within the period that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mr.S.Shaji Bino,
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned order dated 17.08.2021 passed by the second respondent rejecting the petitioner's request to rectify the pay anomaly.

2.According to the petitioner his junior Mahavishnu, who was appointed as B.T. Assistant only on 10.02.1999, after the



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petitioner was promoted to the post of B.T.Assistant on 23.09.1998 is getting higher salary than the petitioner. The petitioner was promoted as High School Headmaster on 20.10.2012 and higher secondary school Headmaster on 13.11.2019. However, the petitioner's junior Mahavishnu was promoted to the post of higher secondary school Headmaster only on 15.07.2020. Therefore, the petitioner contends that since his junior is getting more pay than him, the pay anomaly has to be rectified which has been rejected under the impugned order.

3.However, it is the contention of the respondents that since the petitioner and his junior did not belong to the same cadre at the time when the pay anomaly arose, the respondents have rightly rejected the petitioner's request seeking to rectify the pay anomaly under the impugned order.

4.According to the learned Special Government Pleader appearing for the respondents, only due to the fact that the pay of the petitioner's junior Mahavishnu was revised due to the pay commission's recommendation, there is no pay anomaly as claimed by the petitioner, since the petitioner and his junior belong to different cadre.



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5.Under the impugned order, the reason for rejecting the petitioner's request is that the petitioner and his junior Mahavishnu are possessing different degrees. The petitioner is possessing M.Ed., qualification and his junior Mahavishnu is possessing M.Phil., qualification. However, in the counter filed before this Court, by the respondents, they have stated that only due to the reason that the petitioner and his junior Mahavishnu belong to different cadre, the request of the petitioner to rectify the pay anomaly has been rejected under the impugned order, which is contrary to the reasons given by the respondents in the impugned order, which states that only due to the petitioner and his junior Mahavishnu possessing different qualifications, the request of the petitioner seeking for rectification of pay anomaly has been rejected. However, learned Counsel for the petitioner categorically contends that both the petitioner as well as the petitioner's junior belong to the same cadre and therefore, the petitioner is entitled to rectify the pay anomaly.

6.Therefore, this Court in the interest of justice and in order to enable the petitioner to rectify the pay anomaly, if the petitioner is found to be eligible, deems it fit to quash the impugned order and remand the matter back to the very same respondent for fresh



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consideration, after providing an opportunity for the petitioner to submit a detailed explanation as to why the petitioner's request for rectification of the pay anomaly has to be accepted by the respondents and also by directing the respondents to consider the said explanation on merits and in accordance with law and pass final orders within a time frame to be fixed by this Court.

7.For the foregoing reasons, the impugned order dated 17.08.2021, passed by the second respondent is hereby quashed and this Writ Petition is disposed of, by permitting the petitioner to submit a detailed explanation as to why the petitioner is entitled to rectify the pay anomaly as prayed for in this Writ Petition. The petitioner is directed to submit his explanation as stated supra, within a period of two [2] weeks from the date of receipt of a copy of the order. On receipt of the said explanation, by the second respondent within a stipulated time, the second respondent shall pass final orders on merits and in accordance with law, after giving due consideration to the explanation submitted by the petitioner within a period of twelve [12] weeks, thereafter.



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8.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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ABDUL QUDDHOSE., J.

MR

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