

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2015

CORAM:

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Writ Petition Nos.19138 to 19141, 19299, 19300 and 19686 of 2015

- 1.K.Annamalai ...Petitioner in WP.19138/15
- 2.M.Annamalai ...Petitioner in WP.19139/15
- 3.V.N.Natarajan ...Petitioner in WP.19140/15
- 4.A.K.Rajamanickam ...Petitioner in WP.19141/15
- 5.D.Kalaichelvan ...Petitioner in WP.19299/15
- 6.S.Sankaran ...Petitioner in WP.19300/15
- 7.S.Somasundaram
- 8.A.Sithaiyan
- 9.P.Govindarajulu
- 10.D.Natarajan
- 11.S.Chitambaram
- 12.R.Premaleela
- 13.M.Perumal
- 14.V.Natarajan
- 15.V.Radha
- 16.R.Kanagarajan
- 17.D.Suguna
- 18.S.Saradha
- 19.M.Manimegalai
- 20.M.N.Krishnamoorthy
- 21.R.Jeyalakshmi
- 22.C.Marimuthu
- 23.S.Nagarathinam
- 24.C.TamilSelvi
- 25.A.Thamayanthi
- 26.D.Nirmala
- 27.A.Sundararajan ...Petitioners in WP.19686/15

versus

1. The Government of Tamil Nadu,
rep. By the Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai-600 009.

...1st Respondent in WPs.19141 & 19686/15

2. The Director of Elementary Education
College Road, Nungambakkam, Chennai-6.

...Respondents 1 & 2 in WPs.19138 to
19140, 19299 & 19300/15

3. The District Educational Officer,
Kancheepuram, Kancheepuram District.

4. The Assistant Elementary Education Officer,
Valajabath Union, Kancheepuram District.

...Respondents 3 & 4 in WP.19138/15

5. The District Educational Officer,
Thiruvannamalai, Thiruvannamalai District.

6. The Assistant Elementary Education Officer,
Assistant Elementary Education Office
Thuringapuram Panchayat Union Unit,
Thiruvannamalai District.

...Respondents 3 & 4 in WP.19139/15

7. The District Educational Officer,
Thiruvallur, Thiruvallur District.

8. The Assistant Elementary Education Officer,
Poondi Panchayat Union,
Thiruvallur District.

...Respondents 3 & 4 in WP.19140/15

9. The Director of School Education
College Road Nungambakkam
Chennai-6.

10. The Chief Educational Officer
Thiruvannamalai Thiruvannamalai District.

11. The District Educational Officer
Cheyyar Thiruvannamalai District.

- 12.The Head Master
Government Boys Higher Secondary School
Cheyyar-604 407 Thiruvannamalai District.
...Respondents 2 to 5 in WP.19141/15
- 13.The District Educational Officer,
Thiruvannamalai, Thiruvannamalai District.
...3rd Respondent in WPs.19299 & 19300/15
- 14.The Director of School Education
College Road Nungambakkam
Chennai-6.
- 15.The Director of Elementary Education
College Road Nungambakkam
Chennai-6.
- 16.The Chief Educational officer
Salem Salem District-636 001.
- 17.The District Educational Officer
Salem Salem District-636 001.
- 18.The District Elementary Educational Officer
Salem Salem District - 636 001.
- 19.The Additional Assistant
Elementary Educational Officer
Salem Urban Salem Salem District-636 001.
...Respondents 2 to 7 in WP.19686/15

W.P.No.19138 of 2015 : Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, to direct the respondents to dispose of the representation, dated 10.11.2014 to count the petitioner Higher Grade Place service as Secondary Grade Assistant Service from 08.12.1967 to 11.03.1971 for determination of the petitioner service benefits and pensionary benefits and to grant the consequential benefits arising thereof.

W.P.No.19139 of 2015 : Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the respondents to dispose the representation of the petitioner dated 10.11.2014 to count the petitioner Higher Grade Place Service as Secondary Grade Assistant Service from 30.04.1974 to 31.05.1976 for determination of the petitioner service benefits

and pensionary benefits and to grant the consequential benefits arising thereof.

W.P.No.19140 of 2015 : Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the respondents to dispose the representation of the petitioner dated 10.11.2014 to count the petitioner Higher Grade Place Service as Secondary Grade Assistant Service from 21.06.1968 to 26.01.1969 for determination of the petitioner service benefits and pensionary benefits and to grant the consequential benefits arising thereof.

W.P.No.19141 of 2015 : Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the respondents to dispose the representation of the petitioner dated 10.11.2014 to count the petitioner Higher Grade Place Service as Secondary Grade Assistant Service from 13.11.1967 to 30.04.1968 and 01.06.1968 to 12.03.1971 for 3 years 2 months period for determination of the petitioner service benefits and pensionary benefits and to grant the consequential benefits arising thereof.

W.P.Nos.19299 & 19300 of 2015 : Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents to dispose of the Representation of the Petitioner dated 10.11.2014 to count the Petitioners Higher Grade Place Service as Secondary Grade Assistant Service from 01.04.1972 to 31.05.1974 for determination of the Petitioner's Service benefits and Pensionary benefits and to grant the Consequential benefits arising thereof.

W.P.No.19686 of 2015 : Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the Respondents to dispose the representation of the petitioners dated 10.11.2014 to count their Higher Grade place service as Secondary Grade Assistant Service for determination of their service benefits and pensionary benefits and to grant the consequential benefits arising thereof.

For petitioner : Mr.Thennan

For respondents : Mr.M.E.Rani Selvam,
Additional Government Pleader

O R D E R

These Writ Petitions have been filed, praying for the issuance of a writ of Mandamus, to to direct the respondents to dispose of the representation, dated 10.11.2014 to count the petitioner Higher Grade Place service as Secondary Grade Assistant Service as Sondary Grade Assistant service for determination of their service and pensionary benefits and to grant the consequential benefits arising thereof.

2. According to the petitioners, though they were fully qualified for the Secondary Grade Teacher, however, initially they were appointed as Higher Grade Teachers and later, they were posted as Secondary Grade Teachers. The claim of the petitioners is that since they served as Higher Grade Teachers having possessed secondary grade qualification, are entitled to get the period of service rendered by them in the post of Higher Grade Teacher with Secondary Grade Service and also all the consequential benefits arising thereof.

3. In fact, the issue involved in these writ petitions has been squarely covered by the orders passed by this Court in similar writ petitions, viz., W.P.No.30488 of 2006, dated 19.6.2008, W.P.No.43235 of 2006, dated 3.4.2009, W.P.No.38450 of 2006, dated 5.1.2010, etc., wherein, the similar claim sought for by the petitioners has been considered and granted the relief as prayed for.

4. However, the learned counsel appearing for the petitioners would submit that the petitioners have made representations, dated 10.11.2014 to the respondents by placing reliance of the above said orders of this Court, but the same were not considered. Hence, the learned counsel sought for a direction to the respondents to dispose of the same in accordance with law.

5. Considering the facts and circumstances and in view of the fact that the representations made by the petitioners are still pending with the respondents, this Court directs the respondents to consider and dispose of the petitioners' representations, dated 10.11.2014 and pass orders in accordance with law and in the light of the orders of this Court stated above, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioners.

With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Suk

To

1. The Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Director of Elementary Education
College Road, Nungambakkam, Chennai-6.
3. The District Educational Officer,
Kancheepuram, Kancheepuram District.
4. The Assistant Elementary Education Officer,
Valajabath Union, Kancheepuram District.
5. The District Educational Officer,
Thiruvannamalai, Thiruvannamalai District.
6. The Assistant Elementary Education Officer,
Assistant Elementary Education Office
Thurinjapuram Panchayat Union Unit,
Thiruvannamalai District.
7. The District Educational Officer,
Thiruvallur, Thiruvallur District.
8. The Assistant Elementary Education Officer,
Poondi Panchayat Union,
Thiruvallur District.
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15.The District Educational Officer
Salem Salem District-636 001.

16.The District Elementary Educational Officer
Salem Salem District - 636 001.

17.The Additional Assistant
Elementary Educational Officer
Salem Urban Salem Salem District-636 001.

+7cc's to Mr.Thennan, Advocate, S.R.No.62250 to 62256
+1cc to the Government Pleader, S.R.No.61995

W.P.No.19138 of 2015 etc.

KGK(CO)
CA(17/12/2015)

सत्यमेव जयते

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