



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2015

CORAM:

THE HONOURABLE Mr. JUSTICE S.MANIKUMAR

and

THE HONOURABLE Mr. JUSTICE G.CHOCKALINGAM

W.A. (MD) No.636 of 2015 and M.P. (MD) No.1 of 2015

1.The Secretary to Government,
School Education Department,
Fort St.George,
Chennai 9.

2.The Director of Elementary Education,
Chennai.

3.The District Elementary Educational Officer,
Ramanathapuram District.

4.The Assistant Elementary Educational Officer,
R.S.Mangalam,
Ramanathapuram District.

... Appellants

Vs.

P.Muthaiah

... Respondent

PRAYER: The Writ Appeal is filed under Clause 15 of Letters Patent Act, to set aside the order dated 12.03.2015 in W.P. (MD) No.3456 of 2015.

Prayer in WP(MD). 3456/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the respondent to fix the scale of pay to the petitioner by extending the benefit of G.O.Ms.No.234 School Education (G2) Department, dated 10.09.2009 counting entire length of service as a Elementary School Head Master for selection grade and special grade and confer all consequential benefits.

For Appellants : Mr.V.R.Shanmuganathan, Spl.G.P.

JUDGMENT

(Judgment of this Court was delivered by S.MANIKUMAR,J.)

Though the order passed in W.P(MD) No.3456 of 2015 dated 12.03.2015 is assailed by the appellants, by inviting the attention of this Court to G.O.Ms.No.179 Elementary Education Department, dated 06.09.2013, Mr.V.R.Shanmuganathan, learned Special Government Pleader fairly submitted that the respondent is entitled to Selection / Special Grade in the post of Primary School Headmaster.

2.The respondents having been appointed to the said post between 01.06.1988 and 31.12.1995 are entitled to Selection / Special Grade in the post of Primary School Headmaster, as per the Fifth Pay Commission report.



3. Recording the above said submission, the Writ Appeal is dismissed. Consequent to the dismissal of the Writ Appeal, the appellants are directed to disburse arrears of Selection / Special Grade in the post of Primary School Headmaster within a period of 8 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar(Per.Admn.)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
School Education Department,
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Chennai 9.

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3. The District Elementary Educational Officer,
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4. The Assistant Elementary Educational Officer,
R.S. Mangalam,
Ramanathapuram District.

+1cc to M/s.C.S. Associates, SR.No.33225

+1cc to Special Govt. Pleader SR.No.32873

W.A. (MD) No.636 of 2015
22.06.2015

nbj

PA/IV/11.07.2015/2P/7C