

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.37866 to 37888 of 2016

1 K.MARKABANDHU ... PETITIONER in WP No.37866 of 2016

1 C.VENKATESAN ... PETITIONER in WP No.37867 of 2016

1 M.NATESAN ... PETITIONER in WP No.37868 of 2016

1 B.MANOANDHI ... PETITIONER in WP No.37869 of 2016

1 R.K.SUBRAMANIAM ... PETITIONER in WP No.37870 of 2016

1 K.MANOHRAN ... PETITIONER in WP No.37871 of 2016

1 K.ADHIMOLAM ... PETITIONER in WP No.37872 of 2016

1 E.SUBRAMANIAN ... PETITIONER in WP No.37873 of 2016

1 R.THILOTAMA ... PETITIONER in WP No.37874 of 2016

1 M.GOVINDARAJULU ... PETITIONER in WP No.37875 of 2016

1 M.YASODHA ... PETITIONER in WP No.37876 of 2016

1 D.VISWANATHAN ... PETITIONER in WP No.37877 of 2016

1 T.GANESAN ... PETITIONER in WP No.37878 of 2016

1 V.MANI ... PETITIONER in WP No.37879 of 2016

1 P.SADASIVAM ... PETITIONER in WP No.37880 of 2016

1 R.RAMACHANDRAN ... PETITIONER in WP No.37881 of 2016

1 R.JAYALAKSHMI ... PETITIONER in WP No.37882 of 2016

1 A.GANGADARAN ... PETITIONER in WP No.37883 of 2016

1 D.R.SAROJA RAMACHANDRAIAH .. PETITIONER in WP No.37884 of 2016

1 K.SRINIVASALU ... PETITIONER in WP No.37885 of 2016

1 G.MANI ... PETITIONER in WP No.37886 of 2016

1 T.G.PANCHATCHARAM ... PETITIONER in WP No.37887 of 2016

1 K.NARAYANASAMY ... PETITIONER in WP No.37888 of 2016

vs

1 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9.

2 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD CHENNAI-6.

3 THE CHIEF EDUCATIONAL OFFICER
VELLORE VELLORE DISTRICT

...1, 2 & 3rd Respondent in WP No.37866 to 37888 of 2016

4 THE HEADMASTER
GOVERNMENT HIGH SCHOOL KALLAPADI
GUDIYATHAM VELLORE DISTRICT
... 4th RESPONDENT in WP No.37866 of 2016

4 THE HEADMASTER
GOVERNMENT HIGH SCHOOL ANAICUT VELLORE
DISTRICT
... 4th RESPONDENT in WP No.37868 of 2016

4 THE HEADMASTER
GOVERNMENT GIRLS HIGHER SECONDARY SCHOOL
NADUPETTAI GUDIYATHAM VELLORE DISTRICT
...4th RESPONDENT in WP No.37869 of 2016

4 THE HEADMASTER
GOVERNMENT HIGHER SECONDARY SCHOOL SEMPALLI
VELLORE DISTRICT
... 4th RESPONDENT in WP No.37870 of 2016

4 THE HEADMASTER
GOVERNMENT ADI DRAVIDAR WELFARE GIRLS HIGHER
SECONDARY SCHOOL ARAKKONAM VELLORE DISTRICT
...4th RESPONDENT in WP No.37871 of 2016

4 THE HEADMASTER
GOVERNMENT HIGHER SECONDARY SCHOOL
PERANAMPET VELLORE DISTRICT
... 4th RESPONDENT in WP No.37872 of 2016

- 4 THE HEADMASTER
MUNICIPALITY HIGHER SECONDARY SCHOOL
GUDIYATHAM VELLORE DISTRICT
... 4th RESPONDENT in WP No.37873 of 2016
- 4 THE HEADMASTER
MUNICIPALITY HIGHER SECONDARY SCHOOL
GUDIYATHAM VELLORE DISTRICT
... 4th RESPONDENT in WP No.37874 of 2016
- 4 THE HEADMASTER
GOVERNMENT HIGHER SECONDARY SCHOOL
KODANAGARAM VELLORE DISTRICT
... 4th RESPONDENT in WP No.37875 of 2016
- 4 THE HEADMASTER
GOVERNMENT GIRLS HIGHER SECONDARY SCHOOL
NADUPETTAI GUDIYATHAM VELLORE DISTRICT
... 4th RESPONDENT in WP No.37876 of 2016
- 4 THE HEADMASTER
GOVERNMENT HIGH SCHOOL AGARAMCHERI VELLORE
DISTRICT
... 4th RESPONDENT in WP No.37877 of 2016
- 4 THE HEADMASTER
S.G.R. HIGHER SECONDARY SCHOOL
KOSAVANPUTHUR GUDIYATHAM VELLORE DISTRICT
... 4th RESPONDENT in WP No.37878 of 2016
- 4 THE HEADMASTER
GOVERNMENT HIGHER SECONDARY SCHOOL
NELLOREPETTI VELLORE DISTRICT
... 4th RESPONDENT in WP No.37879 of 2016
- 4 THE HEADMASTER
DISTRICT ELEMENTARY EDUCATION OFFICER
GUDIYATHAM VELLORE DISTRICT
... 4th RESPONDENT in WP No.37880 of 2016
- 4 THE HEADMASTER
GOVERNMENT HIGH SCHOOL VALATHUR VELLORE
DISTRICT
... 4th RESPONDENT in WP No.37881 of 2016
- 4 THE HEADMASTER
GOVT. GIRLS HR. SEC. SCHOOL K.V.KUPPAM
VELLORE DISTRICT.
... 3, 4th RESPONDENT in WP No.37882 of 2016

- 4 THE HEADMASTER
THIRUVALLUVAR AIDED ELEMENTARY SCHOOL
GUDIYATHAM VELLORE DISTRICT.
...4th RESPONDENT in WP No.37883 of 2016
- 4 THE HEADMASTER
BALATHOTAN SCHOOL DHARMAPURI DISTRICT.
...4th RESPONDENT in WP No.37884 of 2016
- 4 THE HEADMASTER
GOVERNMENT HIGH SCHOOL DHARNAMPET VELLORE
DISTRICT.
...4th RESPONDENT in WP No.37885 of 2016
- 4 THE HEADMASTER
GOVT. HR. SEC SCHOOL VALLATHUR GUDIYATHAM
VELLORE DISTRICT.
...4th RESPONDENT in WP No.37886 of 2016
- 4 THE HEADMASTER
GOVERNMENT HIGH SCHOOL KALLAPADI VELLORE
DISTRICT.
... 4th RESPONDENT in WP No.37888 of 2016

Writ petition Nos.37866 to 37888 of 2016 have been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay the Grade Pay Arrears from 1.1.1996 to 31.12.2005 as per the respective petitioner's representation dated 30.7.2016, 4.8.16, 30.8.16 as the case may be.

For Petitioner : Mr.M.Thamizhavel,
in all the writ petitions

For Respondents : Mr.K.Dhananjayan,
Spl. Govt. Pleader,
in all the writ petitions.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners have come up with the present writ petitions for a mandamus, directing the respondents to pay the Grade Pay Arrears from 1.1.1996 to 31.12.2005 / 1.1.1996 to 31.8.2003 as per their representations dated 30.7.2016 and 4.8.2016 and 30.8.2016.

3. It is the case of the petitioners that they were appointed as Secondary Grade Teacher / Junior Grade Teacher /

Physical Education Teacher / BT Teacher / Hindi Pandit / Telugu Pandit / Record Clerk and their scale of pay was fixed as 90-4-110-3-140 / 140-5-180-10-250 / 65-1-70-2-90 / 90-98-188 / 210-5-245-10-325 / 55-1-70. Thereafter, they were awarded selection grade and special grade. Subsequently, they have retired on various dates. The Government of India issued an order on 28.1.2013 to count the Grade Pay for the pension purpose and the various State Governments implemented the same as ordered by the Government of India, whereas the Government of Tamil Nadu has not implemented the grade pay to the retired persons. In this regard, the petitioners sent various representations to the first respondent seeking grade pay arrears, but, the same were not considered. Finally, they sent individual representations on 30.7.2016 and 4.8.2016 and 30.8.2016. Since the same were also not considered, left with no other alternative, the petitioners have come up with the present writ petitions.

4. I have heard the learned counsel appearing for the petitioners and the learned Special Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioners, this Court directs the first respondent to consider the representations of the petitioners dated 30.7.2016 and 4.8.2016 and 30.8.2016 seeking Grade Pay Arrears, and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. All the writ petitions are disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

- 1 The Secretary to Government
Government of Tamil Nadu
School Education Department
Fort St. George Chennai-9.
- 2 The Director of School
Education College Road Chennai-6.
- 3 The Chief Educational Officer
Vellore Vellore District

- 4 The Headmaster
Government High School Kallapadi
Gudiyatham Vellore District
- 5 The Headmaster
Government High School
Anaicut, Vellore District
- 6 The Headmaster
Government Girls Higher Secondary School Nadupettai
Gudiyatham Vellore District .
- 7 The Headmaster
Government Higher Secondary School
Sempalli, Vellore District
- 8 The Headmaster
Government Adi Dravidar Welfare
Higher Secondary School Arakonam
Vellore District
- 9 The Headmaster
Government Higher Secondary School
Peranampet Vellore District
- 10 The Headmaster
Municipality Higher Secondary School
Gudiyatham Vellore District
- 11 The Headmaster
Government Higher Secondary School
Koodanagaram, Gudiyatham, Vellore District
- 12 The Headmaster
Government High School
Agaramcheri, Vellore District
- 13 The Headmaster
Government Higher Secondary School
Nellorepettai, Vellore District
- 14 The Director,
District elementary Educational Officer
Guidyatham, Vellore District
- 15 The Headmaster
Government High School
Valathur, Vellore District

16 The Headmaster
Government Girls Higher Secondary School K.V.Kuppam,
Gudiyatham Vellore District .

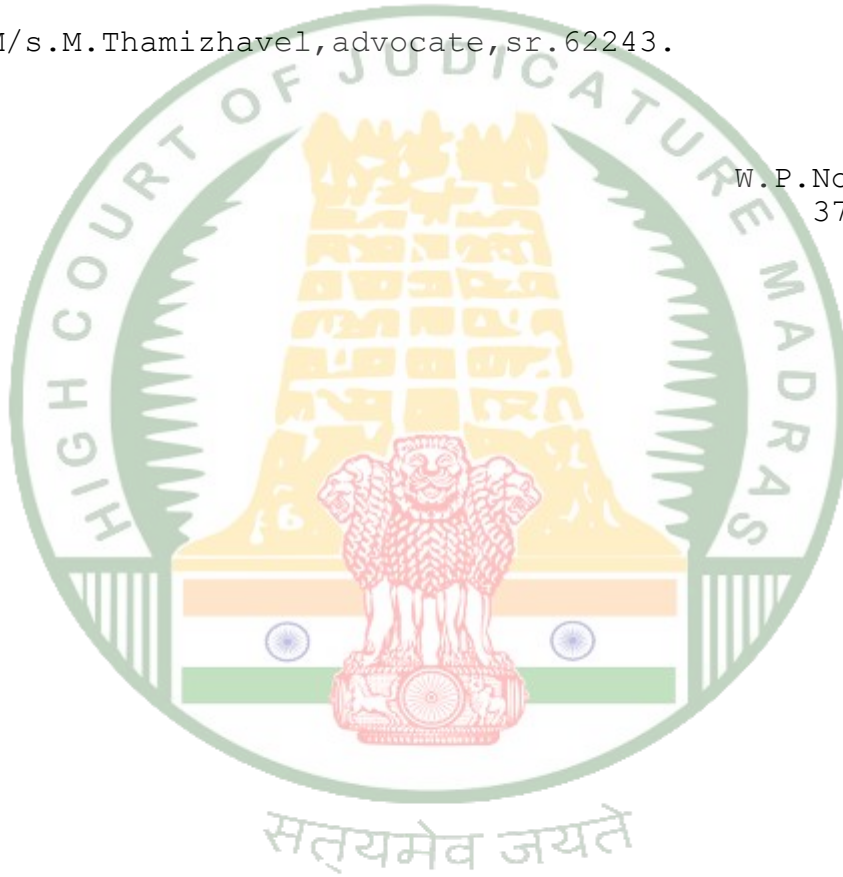
17 The Headmaster
Government High School
Dharnampet, Vellore District

18 The Headmaster
Government Higher Secondary School
Vallathur, Gudiyatham, Vellore District.

+1 cc to M/s.M.Thamizhavel,advocate,sr.62243.

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W.P.Nos.37866 to
37888 of 2016



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