



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Fourth day of October Two Thousand Sixteen

PRESENT

The Hon`ble The CHIEF JUSTICE
and

The Hon`ble Mr.Justice S.NAGAMUTHU

CMP(MD) No.651,9417,9423 and 9425 of 2016
IN

WA(MD) No.145, 1325, 1326 and 1327 of 2016

1 THE STATE OF TAMIL NADU
REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPARTMENT,
FORT ST. GEORGE, CHENNAI - 600 009.

2 THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI - 600 006.

3 THE CHIEF EDUCATIONAL OFFICER
SIVAGANGAI 630 561.

4 THE DISTRICT EDUCATIONAL OFFICER,
SIVAGANGAI, SIVAGANGAI DISTRICT.

5 THE HEADMASTER
GOVERNMENT BOYS HIGHER SECONDARY SCHOOL,
THIRUPPUVANAM 630 611, SIVAGANGAI.

... APPELLANT/RESPONDENT
in CMP.(MD).NO.651 of 2016 in
WA.(MD).No.145 of 2016

Vs

S.CHELLAMMAL

... RESPONDENT/PETITIONER
in CMP.(MD).NO.651 of 2016 in
WA.(MD).No.145 of 2016

1 THE STATE OF TAMIL NADU, REP BY ITS SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION, FORT ST. GEORGE,
SECRETARIAT, CHENNAI-600 009.

2 THE DIRECTOR OF ELEMENTARY EDUCATION,
COLLEGE ROAD, CHENNAI-600 006.

3 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TUTICORIN, TUTICORIN DISTRICT.

4 THE ADDITIONAL ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER,
SRIVAIAKUNDAM UNION, TUTICORIN DISTRICT.



5 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
SRIVAICKUNDAM UNION, TUTICORIN DISTRICT.

... Petitioners/APPELLANTS
in all the petitions

- Vs. -

V. VEDAMUTHU, ... 1st Respondent/Respondent in CMP(MD). 9417/ 2016
K. SAGAYAM, ... 1st Respondent/Respondent in CMP(MD). 9423/ 2016
K. ASIRIVATHAM, ... 1st Respondent/Respondent in CMP(MD). 9425/ 2016

THE CORRESPONDENT, TDTA PRIMARY SCHOOL, PANAIVILAI,
SRIVAICKUNDAM UNION, TUTICORIN DISTRICT.

... 2nd Respondents/Respondents in CMP(MD). 9417, 9423,
9425 of 2016

Prayer in CMP(MD). 651/ 2016 in WA.(MD).No.145 of 2016 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the operation of the order dated 20/12/2011 made in WP NO. 12155 of 2011 and pending disposal of the above Writ Appeal and thus render justice.

Prayer in WP(MD). 12155/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of WRIT OF MANDAMUS, directing the Respondents to extend the petitioner the benefit of G.O.Ms.No.258, School Education (M.1) Department, dated 06-09-2010 which was implemented in pursuance of the order dated 14-07-2009 of the Honourable Division Bench in W.P.No.8747 of 2009 within a stipulated period.

Prayer in CMP(MD). 9417/ 2016 in WA.(MD).No.1325 of 2016 :

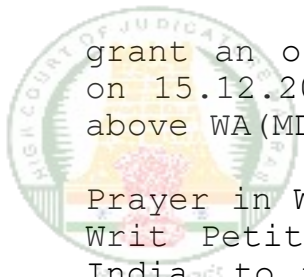
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of interim stay of operation of interim order dated on 15.12.2015 in W.P.(MD)No.22501 of 2015, pending disposal of the above WA(MD)No.1325 of 2016.

Prayer in WP(MD). 22501/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to sanction and award forthwith Special Grade and Special Grade to the Petitioners in the post of Primary School Headmaster by reckoning and computing the petitioner's service rendered in the cadre of Secondary Grade Teacher from 01.01.1971 to 31.05.1988 on par with the similarly placed persons for whom such benefits have been sanctioned under G.O.Ms.No.234(School Education (G2) Department) dt.10.09.2009.

Prayer in CMP(MD). 9423/ 2016 in WA.(MD).No.1326 of 2016 :

<https://hcservices.ecourts.gov.in/hcservices/>
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to



grant an order of interim stay of operation of interim order dated on 15.12.2015 in W.P.(MD)No.22502 of 2015, pending disposal of the above WA(MD)No.1326 of 2016.

Prayer in WP(MD). 22502/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to sanction and award forthwith Special Grade and Special Grade to the Petitioners in the post of Primary School Headmaster by reckoning and computing the petitioner's service rendered in the cadre of Secondary Grade Teacher from 01.01.1971 to 31.05.1988 on par with the similarly placed persons for whom such benefits have been sanctioned under G.O.Ms.No.234(School Education (G2) Department) dt.10.09.2009.

Prayer in CMP(MD). 9425/ 2016 in WA.(MD).No.1327 of 2016 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of interim stay of operation of interim order dated 15.12.2015 in W.P.(MD)No.22503 of 2015, pending disposal of the above WA(MD)No.1327 of 2016.

Prayer in WP(MD). 22503/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to sanction and award forthwith Special Grade and Special Grade to the Petitioners in the post of Primary School Headmaster by reckoning and computing the petitioner's service rendered in the cadre of Secondary Grade Teacher from 04.05.1977 to 31.05.1988 on par with the similarly placed persons for whom such benefits have been sanctioned under G.O.Ms.No.234(School Education (G2) Department) dt.10.09.2009.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.A.K.Baskarapandian, SPECIAL GOVERNMENT PLEADER, Advocate for the petitioner in all the petitions and Mr.B.Alagarsamy accepts notice for the respondent in WA.(MD).No.145 of 2016 and Mr.A.Ajith Geethan accepts notice for the first respondent in all W.A.(MD).Nos.1325 to 1327 of 2016 the court made the following order:-

Mr.A.Ajith Geethan accepts notice for the first respondent in all W.A.(MD).Nos.1325 to 1327 of 2016 and Mr.B.Alagarsamy accepts notice for the respondent in WA.(MD).No.145 of 2016.

<https://hcservices.ecourts.gov.in/hcservices> 2. It is informed that in some of the cases stay is operating while not in the others. Since the matter is being referred to the



Larger Bench, the stays would operate till such time such Larger Bench answers the issue.

These petitions stand disposed of accordingly.

sd/-

04/10/2016

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
THE STATE OF TAMIL NADU
SCHOOL EDUCATION DEPARTMENT,
FORT ST. GEORGE, CHENNAI - 600 009.
- 2 THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI - 600 006.
- 3 THE CHIEF EDUCATIONAL OFFICER
SIVAGANGAI 630 561.
- 4 THE DISTRICT EDUCATIONAL OFFICER,
SIVAGANGAI, SIVAGANGAI DISTRICT.
- 5 THE HEADMASTER
GOVERNMENT BOYS HIGHER SECONDARY SCHOOL,
THIRUPPUVANAM 630 611, SIVAGANGAI.
- 6 THE SECRETARY,
THE STATE OF TAMIL NADU,
DEPARTMENT OF SCHOOL EDUCATION, FORT ST. GEORGE,
SECRETARIAT, CHENNAI-600 009.
- 7 THE DIRECTOR OF ELEMENTARY EDUCATION,
COLLEGE ROAD, CHENNAI-600 006.
- 8 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TUTICORIN, TUTICORIN DISTRICT.
- 9 THE ADDITIONAL ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER,
SRIVAİKUNDAM UNION, TUTICORIN DISTRICT.

ORDER

IN

CMP(MD) No.651,9417,9423 and 9425 of 2016

IN

WA(MD) No.145, 1325, 1326 and 1327 of 2016

Date :04/10/2016