



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2016

CORAM :

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

Writ Petition (MD) No.5581 of 2016

- 1.K.Nagarajan
- 2.S.Alphonse
- 3.M.Ganesan
- 4.S.Muthiah
- 5.S.S.Nagarajan

... Petitioners

Vs.

1. State of Tamil Nadu,
rep by its
Secretary to Government,
School Education Department,
Fort St., George,
Chennai 9.

2. The Director of Elementary Education,
Chennai.

3. The District Elementary Educational Officer,
Sivagangai District.

4. The Assistant Elementary Educational Officer,
Devakottai, Sivagangai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to fix the scale of pay to the petitioners as per G.O.Ms.No.234 School Education Department dated 10.09.2009 counting the secondary grade service along with the service of the elementary school head master for fixing selection grade and special grade in the cadre of Elementary School Head Master and confer all consequential benefits.

For Petitioners	: Mr.V.Panneer Selvam
For Respondents	: Mr.V.Muruganandam, Additional Government Pleader.

ORDER

The petitioners have come up with the above writ petitions seeking for the issue of a writ of mandamus, to direct the respondents to fix the scale of pay to the petitioners as per G.O.Ms.No.234, School Education Department, dated 10.09.2009 counting the secondary grade service along with the service of the elementary school head master for fixing selection grade and special grade in the cadre of Elementary School Head Master and confer all consequential benefits.



2. Heard the learned counsel for the petitioners. Mr.V.Muruganandam, learned Additional Government Pleader takes notice for the respondents.

3. Learned counsel appearing for the petitioners submits that the issue involved in this case is squarely covered by the decision of the Division Bench of this Court in W.A(MD)No.915 of 2010 etc., dated 07.07.2011, which was subsequently followed in other batch of writ petitions in W.P.Nos.13546 to 13563 of 2013 dated 19.08.2013.

4. Learned Additional Government Pleader appearing for the respondents fairly submitted that the issue involved in this case is squarely covered by those decisions.

5. Considering the above said submission made by the respective counsel, the writ petition is allowed and the respondents are directed to extend the benefit under G.O.Ms.No.234, School Education Department, dated 10.09.2009 to the petitioners and grant the monitory benefits available to them as per the said Government Order and pass suitable orders within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St., George,
Chennai 9.
2. The Director of Elementary Education,
Chennai.
3. The District Elementary Educational Officer,
Sivagangai District.
4. The Assistant Elementary Educational Officer,
Devakottai, Sivagangai District.

+1cc to M/s.V.Panner Selvam, Advocate SR.No.16286
+1cc to Special Government Pleader in Sr.No.16026

CN/SKN-SK/30.03.2016/2P-7C