

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.07.2017

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. Nos.3037 to 3050 of 2017

W.P.No.3037 of 2017

R.Shanmugavadivu

[PETITIONER]

Vs

1 The Government of Tamil Nadu
rep. By Principal Secretary to Government
School Education Department
Fort St.George, Secretariat, Chennai 9.

2.The Director of School Education
College Road, Chennai 600006.

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Mandamus, to direct the respondents to extend the benefit of G.O.Ms.No.16 Finance (Paycell Department) dated 22.03.1993 and to grant Rs.1640-2900- and Rs.2000-3200 as Selection and Special Scale of pay to the petitioner and grant consequential arrears of pay as well as arrear of pension.

For Petitioner : Mr.D.J.Adinarayanan

For Respondents : Mr.K.Dhananjayan
Spl.Govt.Pleader

COMMON ORDER

The relief sought for in all these writ petitions are for a direction to the respondents to extend the benefit of G.O.Ms.No.216 Finance (Paycell Department) dated 22.03.1993, with regard to granting of Selection and Special Scale of pay to the petitioners.

2.The Hon'ble Full Bench of this Court considered all the issues involved in relation to the said Government Order in G.O.Ms.No.216 Finance (Paycell Department) dated 22.03.1993, and delivered a Judgment on 9th December, 2016. For better appreciation, the relevant paragraph is extracted below:

"38....Accordingly, we pass the following:

i) The Government is directed to implement the G.O.Ms.No.216, dated 22.3.1993 for the period between 1.6.1988 and 31.12.1995, on and from 1.3.2017 onwards in respect of all the Secondary Grade Teachers of High/Higher Secondary Schools including the Special Teachers who attained Selection grade/Special Grade during the above said period, on par with the pay scale of Primary School Headmasters;

ii) Consequently, the Government shall calculate and revise the pension of those who retired from service and revise the family pension in respect of those who expired, based on the revised scales of pay in terms of G.O.Ms.No.216, dated 22.3.1993 payable on and from 1.3.2017;

iii) It is made clear that the beneficiaries under this

order, are not entitled to the arrears of revised pay scales;

iv) It is further made clear that the benefits as directed above, shall be extended to the parties who are before this Court alone and no fresh Writ Petitions would be entertained on and from 09.12.2016;

v) The Government is directed to expedite the process of calculating and fixing the revised pension and family pension and we do hope that the Government will complete the same as early as possible without making any further delay;

vi) All the matters which are at SR stage and listed before this Court are also ordered and disposed of by this common order and consequently, connected MPs thereof, are ordered;"

3. In the aforesaid paragraph, the Hon'ble Full Bench made it clear that no fresh Writ Petitions would be entertained on and from 9th December, 2016. Admittedly, the Writ Petitions on hand were filed after 9th December, 2016. Thus, these Writ Petitions cannot be entertained in view of the time limit prescribed by the Hon'ble Full Bench of this Court.

4. Accordingly, these Writ Petitions are dismissed. No costs.

18.07.2017

rpa

S.M.SUBRAMANIAM, J.
rpa

To

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