

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16248 of 2017

V.Muthamizh Ezhil Nangai

.. Petitioner

-vs-

1. The Secretary to Government
School Education Department
Secretariat, Fort St.George
Chennai 600 009

2. The Director of School Education
DPI Campus, College Road
Chennai 600 006

3. The Chief Educational Officer
Perambalur District
Perambalur

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to extend the benefit of G.O.Ms.No.216, Finance Pay Cell Department dated 22.03.1993 and G.O.Ms.No.270 Finance Pay Cell Department dated 26.08.2010 in the light of the orders of the Hon'ble Division Bench in W.P.No.8747 of 2009 dated 14.07.2009 confirmed by the Hon'ble Supreme Court of India in S.L.P (Civil) CC No.2746 of 2010 dated 23.04.2010 and accordingly award Selection/Special Grade Scale of Pay with effect from 10.10.1994 and revision of pensionary benefits and pay arrears immediately to the petitioner.

For Petitioner:: Mr.R.Jayaprakash

For Respondents:: Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

This writ petition has been filed by the wife of late P.Vaithiyalingam seeking the benefit of G.O.Ms.No.216, Finance Pay Cell Department dated 22.03.1993 and G.O.Ms.No.270 Finance Pay Cell Department dated 26.08.2010.

2. The learned Special Government Pleader for the respondents, strongly objecting to the maintainability of the writ petition, brought to the notice of this Court the order passed by the Full Bench in Review Application No.227 of 2015 dated 9.12.2016 (The State of Tamil Nadu represented by its Secretary, School Education Department and others v. G.Eswaran and others), wherein it has been observed, in paragraph 38(iv), as follows:-

"38(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."

3. A reading of the above clearly shows that no fresh writ petition should be entertained on and from 9.12.2016. Being bound by the said direction, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai 600 009.

2. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.

3. The Chief Educational Officer,
Perambalur District,
Perambalur.

+1cc to Mr.R.Jayapraksh, Advocate Sr.45419
+1cc to the Government Pleader Sr.45785

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srg 12/07/2017