

IN THE HIGH COURT OF JUDICATURE AT MADRAS

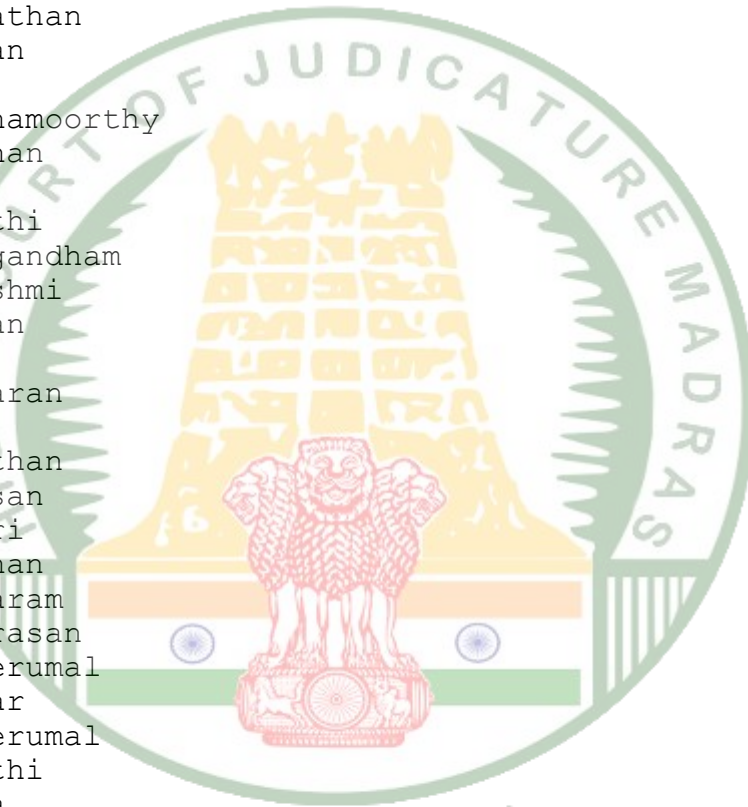
DATED : 07.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

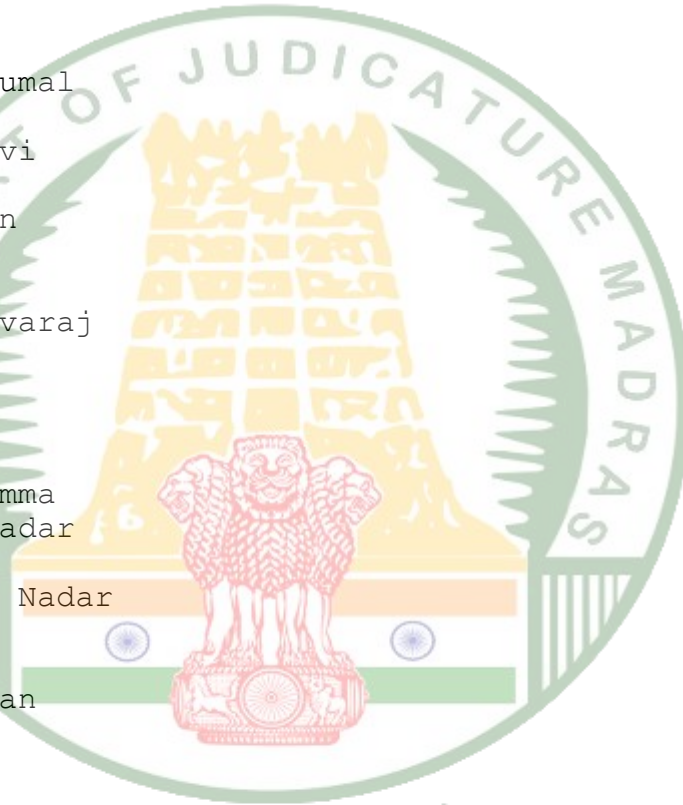
W.P.No.28393 of 2017

1 C.Ramasamy
2 P.Panchanathan
3 K.Rajendran
4 P.Shandha
5 K.Sambandhamoorthy
6 S.Kasinathan
7 N.Chandra
8 P.Saraswathi
9 R.Lakshmigandham
10 K.Jayalakshmi
11 C.Rajendran
12 S.Mani
13 P.Manisekaran
14 P.Arul
15 N.Swaminathan
16 V.Sundaresan
17 M.Savithiri
18 V.Kasinathan
19 B.Chidambaram
20 A.Thamilarasan
21 T.Kaliyaperumal
22 R.Alexendar
23 T.Kaliyaperumal
24 N.Jothimathi
25 V.P.Saroja
26 A.Philomena Mary
27 G.Medeshwari
28 S.Vijayalakshmi
29 S.Ravendran
30 K.Muthusamy
31 K.Mani
32 A.Mary Josephine
33 A.Rahimunisa
34 M.Natarajan
35 S.Rajammal
36 S.Balgish
37 C.Arunachalam
38 Nilavu
39 P.Balambal



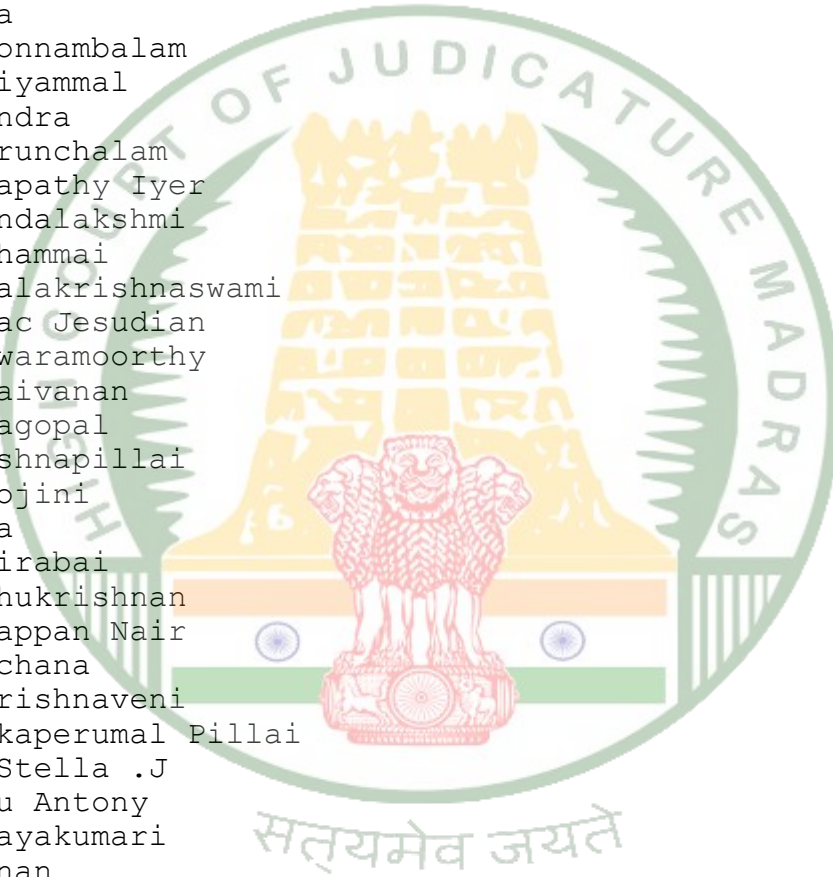
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40 T.Krishnan
41 G.Catherin Pushpa
42 K.Matheswari
43 A.Ekambaram Pillai
44 P.Ambujam
45 S.Ramamurthy
46 M.Saraswathi
47 C.Thilagavathi
48 V.Matheswari
49 A.Krishtophar Gnanasekar
50 N.Sivasubramaniyan
51 E.Ramasamy
52 P.A.Indirani
53 Gannamani
54 A.Mookaraiperumal
55 V.Rathinasamy
56 T.Sulochanadevi
57 M.Elangovan
58 I.Bilavendiran
59 M.Alamelu
60 A.Samathanam
61 J.Vincent Selvaraj
62 N.Nallathambi
63 M.Sathiadhas
64 T.Russel
65 M.Marychellam
66 M.Sarawathi Amma
67 S.Narayanan Nadar
68 C.Inbamary
69 C.Padmanabhan Nadar
70 S.Mariajohn
71 A.Isaac
72 P.N.Subramanian
73 P.Chandran
74 B.Vasudevan
75 S.Subramanian
76 P.Thirumalaisamy
77 D.Mary Sheela
78 M. Ramakrishnan
79 P.Govindasamy
80 M. Balasubramanian
81 T.Appadurai
82 R.Saraswathi
83 K.Kuppusamy
84 R.Duraisamy
85 P.Chinnasami
86 V.Mary Vil
87 M.Manimegalai
88 Mariyajothi
89 A.Amalorpavam



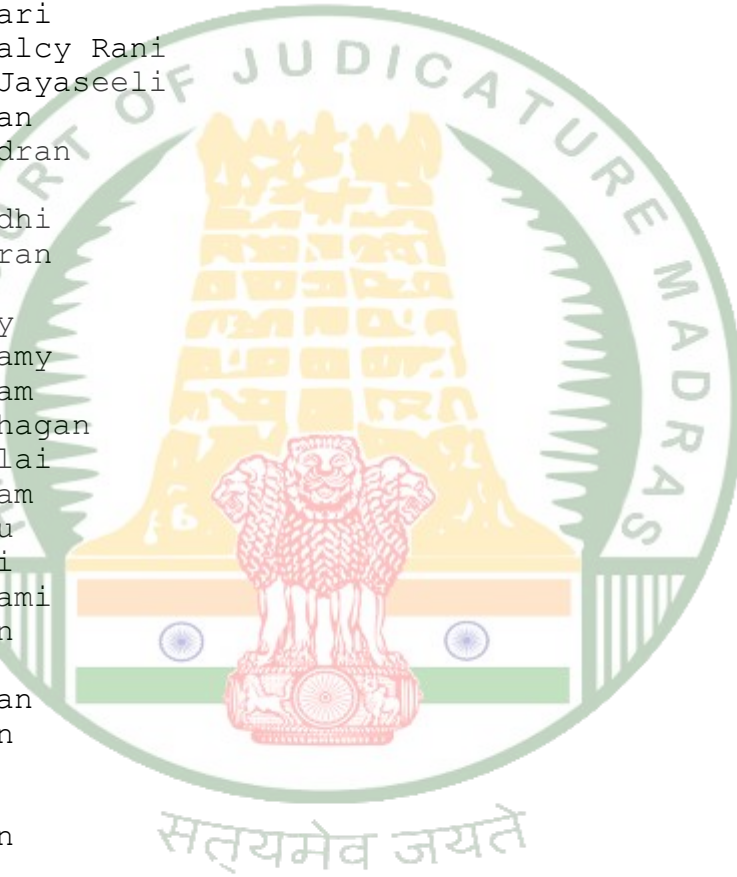
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90 K.V.Devaraj
91 K.Muniyagoundan
92 K.Kalaimani
93 A.Banumathi
94 A.Kuppusamy
95 G.A.Subramanian
96 V.Mathiselvi
97 S.Dhanam
98 V.Rajammal
99 N.Mohan
100 S.Leelavathy
101 K.Y.Thirumangalam
102 G.Amsa
103 V.C.Ponnambalam
104 T.Muniyammal
105 R.Chandra
106 S.B.Arunchalam
107 R.Ganapathy Iyer
108 S.Anandalakshmi
109 G.Muthammai
110 T.Kopalakrishnaswami
111 J.Isaac Jesudian
112 B.Easwaramoorthy
113 S.Kalaiivanan
114 P.Rajagopal
115 T.Krishnapillai
116 M.Sarojini
117 K.Lila
118 P.Indirabai
119 N.Muthukrishnan
120 G.Nagappan Nair
121 B.Kanchana
122 S.V.Krishnaveni
123 M.Mankaperumal Pillai
124 Mary Stella .J
125 M.Jesu Antony
126 J.Vijayakumari
127 B.Kannan
128 V.Parameswaran Pillai
129 T.Kulasammal
130 P.Murugan Nadar
131 S.Mary Victoriya bai
132 C.Rajan
133 R.Arumugam Pillai
134 P.Natarajan
135 Y.Karunakaran
136 P.Madhavan
137 S.P.Vivekananda
138 K.Elango
139 T.Veeravagu Pillai



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140 M.Sivathanupillai
141 K.Pakkiyam Pillai
142 A.Natarajan
143 Lalitha Joseph
144 P.Meena
145 P.Muniyandi
146 A.Mary Nayagam
147 G.Savaridoss
148 G.Jayaraman
149 K.Euchrista
150 V.Manickathal
151 M.Mariappan
152 K.Puvaneswari
153 P.Jospin Dalcy Rani
154 C.Bowleen Jayaseeli
155 G.Dhanapalan
156 G.Ramachandran
157 T.Saroja
158 A.Karunanidhi
159 A.Gunasekaran
160 G.Sundaram
161 N.Pasupathy
162 V.Govindasamy
163 G.Ramalingam
164 R.Mathiyazhagan
165 R.Manimekalai
166 R.Sivanandam
167 N.Rajakannu
168 A.Savithiri
169 S.Arputhasami
170 J.Murugesan
171 N.Settu
172 K.Velmurugan
173 V.Ravindran
174 S.Johnson
175 U.Mayavel
176 T.Anbalagan
177 P.Dharman
178 L.Vijayalakshmi
179 S.Danalakshmi
180 A.Chinnapillai
181 P.Shanmugam
182 S.Vasantha
183 G.Devadoss
184 C.Thirunawkkarasu
185 G.Rangan
186 K.Murugavel
187 K.Sait
188 K.Palani Guruvanmmal
189 N.Annapooranam



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190 G.Chelliyah
191 L.Leema Rose
192 A.Violet Daisy
193 S.Mariammal
194 D.P.Arul Subaja
195 A.Stella Mary
196 V.Chidambarammal
197 A.carlouise
198 C.Chellatai
199 V.Maria Ravendrammal
200 S.Mariapushpam
201 S.Xavier Adimai
202 A.Francis
203 J.Antony Xavier
204 V.Maria Viagulam
205 C.Dicson Manohara Dhas
206 V.Antonymuthu
207 C.Rajayan
208 A.Sandanasamy
209 R.Subramanian ... Petitioner

Vs

1 The State of Tamilnadu
Rep. by the Secretary to Government
School Education Dept.
Fort St. George Chennai 600 009.

2 The Director of School Education
College Road Nungambakkam
Chennai-6.

3 The Chief Educational Officer
Ariyalur Ariyalur District

4 The Chief Educational Officer
Vellore Vellore District.

5 The Chief Educational Officer
Krishnagiri Krishnagiri District.

6 The Chief Educational Officer
Salem Salem District.

7 The Chief Educational Officer
Thanjavur Thanjavur District.

- 8 The Chief Educational Officer
Namakkal Namakkal District.
- 9 The Chief Educational Officer
Cuddalore Cuddalore District.
- 10 The Chief Educational Officer
Tiruvannamalai Tiruvannamalai District.
- 11 The Chief Educational Officer
Villupuram Villupuram District.
- 12 The Chief Educational Officer
Dharmapuri Dharmapuri District.
- 13 The Chief Educational Officer
Perambalur Perambalur District.
- 14 The Chief Educational Officer
Dindigul Dindigul District.
- 15 The Chief Educational Officer
Nagercoil Nagercoil District.
- 16 The Chief Educational Officer
Ramanathapuram Ramanathapuram District.
- 17 The Chief Educational Officer
Saidapet Chennai District.
- 18 The Chief Educational Officer
Tiruppur Tiruppur District.
- 19 The Chief Educational Officer
Thiruvarur Thiruvarur District.
- 20 The District Adi Dravidar
Welfare Officer Ariyalur Ariyalur District
- 21 The District Adi Dravidar
Welfare Officer Perambalur Perambalur
District
- 22 The District Adi Dravidar
Welfare Officer Namakkal Namakkal District
- 23 The District Adi Dravidar
Welfare Officer Kancheepuram
Kancheepuram District
- ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to Extend the benefits of G.O.Ms.No.216 Finance (PC) Department dated 22.03.1993 in the light of the orders passed by the Honourable Division Bench in W.P.No.8747 of 2009 dated 14.07.2009 confirmed by the Honourable Supreme Court of India in C.C.No. 2746/2010 dated 23.04.2010 and accordingly award Selection/Special Grade scale of pay with effect from 01.06.1988 and revision of Pensionary benefits and pay arrears immediately to the petitioners.

For Petitioners :: Mr.V.Thirupathi

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

ORDER

Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, takes notice for the respondents.

2. This writ petition has been filed by a group of retired teachers with a huge delay of almost 24 years from the date of issuance of G.O.Ms.No.216 Finance (PC) Department dated 22.03.1993, seeking extension of the benefits of the said G.O.Ms.No.216.

3. When the matter was taken up for hearing, learned Special Government Pleader, appearing for the respondents urged before this Court to dismiss the writ petition in the light of the direction given by the Hon'ble Full Bench in paragraph No.38 (iv) in R.A.No.227 of 2015 on 09.12.2016, (Government of Tamil Nadu rep. By the Secretary, School Education Department, Chennai vs. G.Eswaran and others) reported in (2017) 2 MLJ 257, which is as under:-

"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.....".

The learned Special Government Pleader further submitted that therefore, any writ petition filed on and from 09.12.2016 claiming extension of benefits of G.O.Ms.No.216 Finance (PC) Department dated 22.03.1993 cannot be entertained.

4. The learned counsel for the petitioners also fairly submitted that the counsel on record for the petitioners was also one of the counsel to the said Judgment. However, he submitted that since the petitioners have filed the writ petition on 09.12.2016, as a special case, this writ petition alone can be taken up.

5. This Court is unable to accede to the said prayer of the learned counsel for the petitioners in view of the fact that the direction issued by this Court makes it clear that no fresh writ petitions should be entertained on and from 09.12.2016. Since the present writ petition has been filed on 09.12.2016, the writ petition is dismissed in view of long delay. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Secretary to Government of Tamil nadu,
School Education Dept.
Fort St. George Chennai 600 009.
- 2 The Director of School Education
College Road Nungambakkam
Chennai-6.
- 3 The Chief Educational Officer, Ariyalur Ariyalur District
- 4 The Chief Educational Officer, Vellore Vellore District.
- 5 The Chief Educational Officer
Krishnagiri Krishnagiri District.
- 6 The Chief Educational Officer, Salem Salem District.
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District

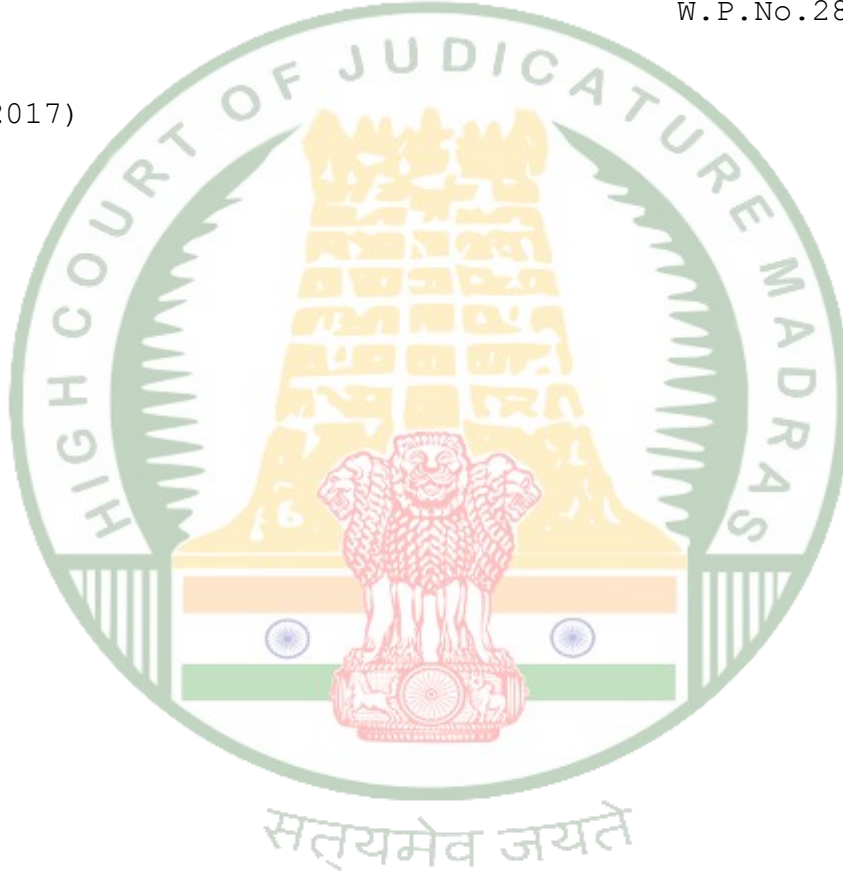
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Welfare Officer Namakkal Namakkal District

23 The District Adi Dravidar
Welfare Officer Kancheepuram
Kancheepuram District

+1cc to Mr.V.THIRUPATHI, Advocate, S.R.No. 78803
+1cc to the Government Pleader, S.R.No. 79289

W.P.No.28393 of 2017

KGK(CO)
TR(13/12/2017)



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