

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:18.07.2017

CORAM

The Hon'ble Mr.Justice M.V.MURALIDARAN

Writ Petition No.30485 of 2004

Rev.F.A.Annapushpam

.. Petitioner

/versus/

- 1.The Govt.of Tamil Nadu rep.by its
Secretary, School Education Dept.,
Fort St.George, Chennai-9.
- 2.The Director of Elementary Education,
College Road, Chennai-6.
- 3.The District Elementary Educational Officer,
Tuticorin District, Tuticorin.
- 4.The Addl.Asst.Elementary Educational Officer,
Tuticorin Urban, Tuticorin District.
- 5.The Accountant General (A&E),
Tamilnadu No.261, Anna Salai, Chennai-18. .. Respondents

Prayer: Criminal Original Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent in relation to G.O.Ms.No.185, School Education Department, dated 16.12.2002 and the Proceedings of the fifth respondent issued in Pen22/1/899-588/04-05/ADK dated 09.2004 and quash the same and issue a consequential direction to the respondents to restore G.O.Ms.No.1381 Education dated 05.10.1990 for fixation of pay in the post of Primary School Headmaster at Rs.1640-2900 with effect from 01.06.1988 as per the recommendation of the V Pay Commission and Special Grade scale of pay with effect from 01.06.1998 as per the recommendations of the VI Pay Commission in the post of Primary School Headmaster at Rs.8000-13500 and to grant arrears of pay to the petitioner.

For Petitioner :Mr.R.Saseetharan
For Respondents :Mrs.M.E.Raniselvam, AGP

O R D E R

The prayer in the writ petition is to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent in relation to G.O.Ms.No.185, School Education Department, dated 16.12.2002 and the Proceedings of the fifth respondent issued in Pen22/1/899-588/04-05/ADK dated 09.2004 and quash the same and issue a consequential direction to the respondents to restore G.O.Ms.No.1381 Education dated 05.10.1990 for fixation of pay in the post of Primary School Headmaster at Rs.1640-2900 with effect from 01.06.1988 as per the recommendation of the V Pay Commission and Special Grade scale of pay with effect from 01.06.1998 as per the recommendations of the VI Pay Commission in the post of Primary School Headmaster at Rs.8000-13500 and to grant arrears of pay to the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The learned counsel appearing for the petitioner submits that though the petitioner is challenging G.O.Ms.No.185, School Education Department, dated 16.12.2002, after filing the writ petition, the respondents issued another G.O.Ms.No.160, School Education(G) Department, dated 23.08.2005. To that effect, he has filed a copy of G.O.Ms.No.160, dated 23.08.2005 before this Court.

4. The learned Special Government Pleader appearing for the respondents concedes the submission of the learned counsel appearing for the petitioner.

5. Recording the submission made by either parties, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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To

1. The Secretary, Govt.of Tamil Nadu
School Education Dept.,
Fort St.George, Chennai-9.

2.The Director of Elementary Education,
College Road, Chennai-6.

3.The District Elementary Educational Officer,
Tuticorin District, Tuticorin.

4.The Addl.Asst.Elementary Educational Officer,
Tuticorin Urban, Tuticorin District.

5.The Accountant General (A&E),
Tamilnadu No.261, Anna Salai, Chennai-18.

+1cc to the Government Pleader Sr. 51025

W.P.No.30485 of 2004

VR(02/08/2017)



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