

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11-09-2017

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P. No.35998 of 2015

And

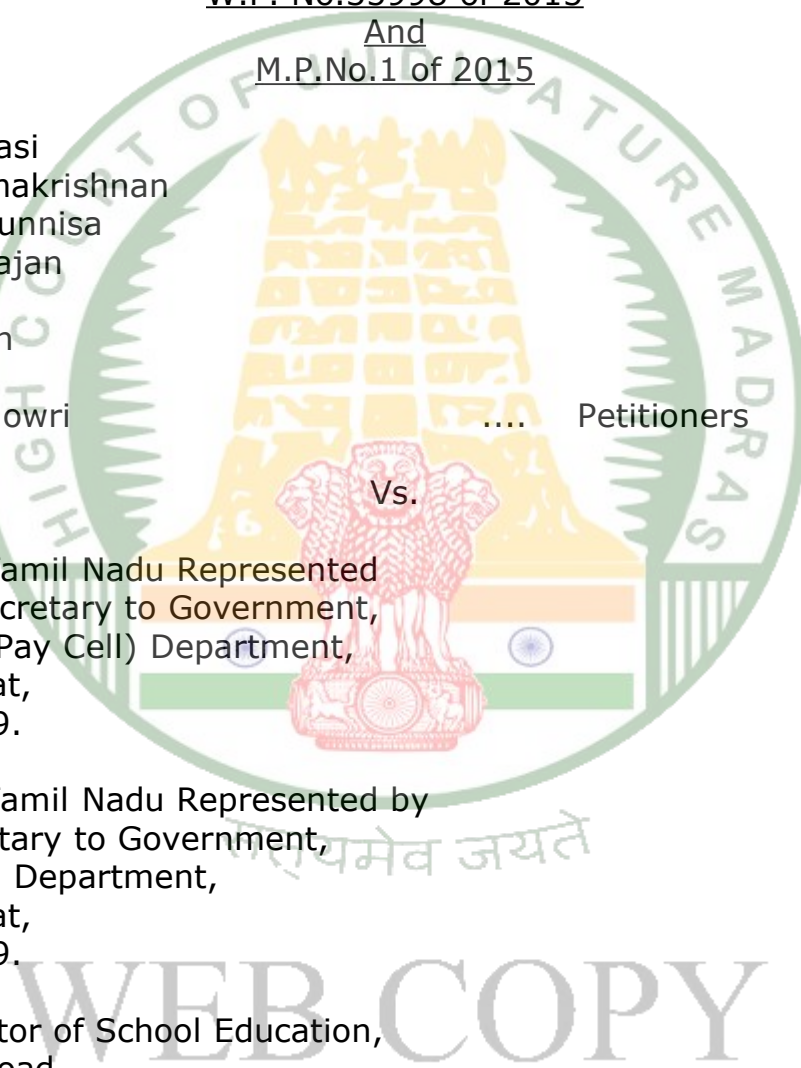
M.P.No.1 of 2015

- 1.T.Tamilarasi
- 2.R.Jayaramakrishnan
- 3.K.Habeebunnisa
- 4.P.V.Natarajan
- 5.K.Santha
- 6.R.krishnan
- 7.A.Kuppan
- 8.L.Bakthagowri

.... Petitioners

Vs.

- 1.State of Tamil Nadu Represented
by the Secretary to Government,
Finance (Pay Cell) Department,
Secretariat,
Chennai-9.
- 2.State of Tamil Nadu Represented by
the Secretary to Government,
Education Department,
Secretariat,
Chennai-9.
- 3.The Director of School Education,
College Road,
Chennai-6.
- 4.The Director of Most Backward Classes
and Minority Welfare Department,
Chepauk,



Chennai-5.

5.The Chief Educational Officer,
Thanjavur District,
Thanjavur.

6.The Chief Educational Officer,
Ariyalur District,
Ariyalur.

7.The Chief Educational Officer,
Coimbatore District,
Coimbatore.

8.The Chief Educational Officer,
Vellore District,
Vellore.

9.The Chief Educational Officer,
Nagapattinam District,
Nagapattinam.

.... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay all the monetary and service benefits available to the petitioners under G.O.Ms.No.216, Finance (Pay Cell) Department, dated 22.3.1993 and G.O.Ms.No.62, Finance (CMPC) Department, dated 9.3.2015 to the petitioners with effect from the date of G.O.Ms.No.216, Finance (Pay Cell) Department, dated 22.3.1993 with all monetary and service benefits.

For Petitioner : Mr.V.S.Jagadeesan

For Respondents : Mr.K.Dhananjayan,
Special Government Pleader.

ORDER

The relief sought for in this writ petition is for a direction to direct the respondents to extend the benefit of G.O.Ms.No.216 Finance (Pay Cell) Department, dated 22.03.1993, with regard to the 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 (Pay Cell) 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 Petition on hand was filed on 27th October, 2015. Thus, the Writ Petition stands disposed of in terms of the judgment passed by the Hon'ble Full Bench of this Court, cited supra. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No

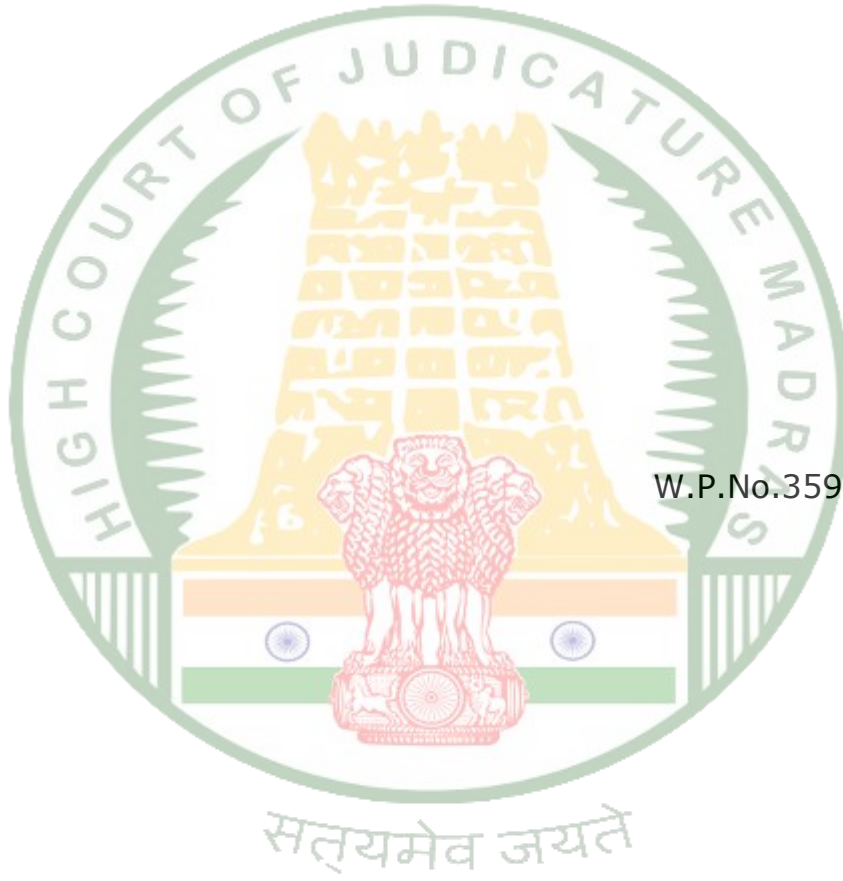
Speaking /Non-speaking order

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Finance (Pay Cell) Department,
Secretariat,
Chennai-9.
- 2.The Secretary to Government,
State of Tamil Nadu,
Education Department,
Secretariat,
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- 3.The Director of School Education,
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- 8.The Chief Educational Officer,
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Vellore.
- 9.The Chief Educational Officer,
Nagapattinam District,
Nagapattinam.

S.M.SUBRAMANIAM, J.

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