

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.10.2017

Coram

THE HON'BLE MR.JUSTICE T.RAJA

Writ Petition No.22097 of 2016

P. Karnaf Deborah

...Petitioner

Vs.

1.The State of Tamilnadu

Rep. By its Secretary,
Department of School Education,
Fort. St. George, Chennai - 600 009

2. The Director of Elementary Education,
DPI Compound, College Road,
Chennai - 600 006

3. The District Elementary Education Officer,
Thiruvallur, Thiruvallur District

4. The Assistant Elementary Education Officer,
Poonthamalli Union,
Thiruvallur District

...Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the 1st respondent to extend the benefits of G.O.Ms.No.234, School Education (G2) Department dated 10.09.2009 to the petitioner and accordingly award selection grade / special grade scale of pay in the post of Elementary School Headmaster by taking into account her lower grade services.

For Petitioner : Mr.G.Punniakotti

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

O R D E R

This petition is filed by P.Karnaf Deborah, wife of S.J.Ponnudurai seeking Writ of Mandamus directing the 1st respondent, namely, the Secretary, State of Tamilnadu, Department of School Education, Chennai to extend the benefits of G.O.Ms.No.234, School Education (G2) Department dated 10.09.2009 insofar as the petitioner is concerned and accordingly, to award selection grade / special grade scale of pay in the post of elementary school headmaster by taking into account her lower grade services.

2. The petitioner is aged about 64 years and after her appointment as Secondary Grade Teacher on 22.06.1970, she was promoted as Elementary School Head Mistress on 02.06.2003 and retired from service on 31.08.2009. It seems that the Government had issued G.O.Ms.No.234, School Education (G2) Department dated 10.09.2009 granting benefits of selection grade and special grade to the teachers and that the petitioner has come to this Court seeking extension of benefits granted to the similarly placed persons in the said G.O.Ms.No.234, School Education (G2) Department dated 10.09.2009.

3. However, in the similar circumstances, when a batch of Writ Petitions, i.e., W.P.No.26459 of 2010 etc., batch was filed with a huge delay seeking extension of benefits as per G.O.Ms.No.234, School Education (G2) Department dated 10.09.2009, the same was dismissed by an order dated 29.06.2016. In the instant case, considering the fact that the petitioner was retired from service on 31.08.2009, whereas the Writ Petition has been filed nearly after seven years, following the order dated 29.06.2016 in W.P.No.26459 of 2010 etc., batch, this Writ petition is liable to be dismissed on the ground of delay.

4. In the result, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

ssd

To

- 1.The Secretary, State of Tamilnadu
Department of School Education,
Fort. St. George, Chennai - 600 009
2. The Director of Elementary Education,
DPI Compound, College Road, Chennai - 600 006
3. The District Elementary Education Officer,
Thiruvallur, Thiruvallur District
4. The Assistant Elementary Education Officer,
Poonthamalli Union, Thiruvallur District.

+ 1 cc to MR. G. Punniyakotti, Advocate Sr.71272
+ 1 cc to Government Pleader SR.71700

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KK(CO)
EU(31/10/2017)