



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

and

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.A. (MD) Nos. 471 to 473 of 2015

and

M.P (MD) Nos. 1, 1, 2 and 2 of 2015

and

C.M.P. (MD) .Nos.91 to 93 of 2016

1.The Government of Tamilnadu,
Rep by the Secretary,
Education Department,
Fort St., George, Chennai-9.

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

3.The District Elementary Educational Officer,
Virudhunagar.

4.The Assistant Elementary
Educational Officer,
Kariapatti Panchayat Union,
Kariapatti.

.. Appellants/ Respondents
in all Writ Appeals

Vs.

P.Alamelu Ammal

.. Respondent/Writ Petitioner
in W.A. (MD) No.471 of 2015

K.Gunasekaran

.. Respondent/Writ Petitioner
in W.A. (MD) No.472 of 2015

M.Ganesan

.. Respondent/Writ Petitioner
in W.A. (MD) No.473 of 2015

COMMON PRAYER: Writ Appeals are filed under Clause 15 of the Letter Patent Act, to set aside the order dated 05.02.2015 in W.P. (MD) .Nos.16119 to 16121 of 2013.

Prayer in WP(MD). 16119/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIFIED MANDAMUS or any other appropriate Writ, order or Direction calling for the records pertaining to the impugned proceedings in G.O.MS.No.179 dt.6.9.2013 conducted by the 1st



respondent and quash the same as illegal, arbitrary and consequently direct the 2nd respondent to take action on the proceedings in ந.க.எண்.13368/14/2011 DT.6.5.2013 as per the Padivam-2 attached.

Prayer in WP(MD). 16120/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIFIED MANDAMUS or any other appropriate Writ, order or Direction calling for the records pertaining to the impugned proceedings in G.O.MS.No.179 dated 06.09.2013 conducted by the 1st respondent and quash the same as illegal, arbitrary and consequently direct the 2nd respondent to take action on the proceedings in ந.க.எண் 13368/ 14/2011 DATED 06.05.2013 as per the Padivam-2 attached and passu such further or other orders as this Honble Court may deem fit

Prayer in WP(MD). 16121/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIFIED MANDAMUS or any other appropriate Writ, order or Direction calling for the records pertaining to the impugned proceedings in .G.O.MS.No.179 dt.6.9.2013 conducted by the 1st respondent and quash the same as illegal, arbitrary and consequently direct the 2nd respondent to take action on the proceedings in ந.க.எண் 13368/14/2011 dt.6.5.2013 as per the the padivam 2 attached.

For Appellants : Mr.T.S.Mohamed Mohideen
in all Writ Appeals Additional Government Pleader

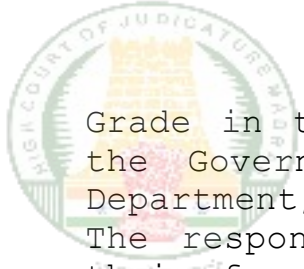
For respondents : Mr.V.Muniasamy
in all Writ Appeals

COMMON JUDGMENT

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

These writ appeals are directed against the common order dated 05.02.2015 made in W.P.(MD).Nos.16119 to 16121 of 2013, filed by the respective respondents herein.

2. The respondents herein were originally appointed as Secondary Grade Teachers in various schools. They were later promoted as Headmasters in Primary Schools. Finally, they attained superannuation. The grievance of the respondents is that the entire length of service rendered by them both as Secondary Grade Teachers and as the Headmasters was not taken into account for the purpose of awarding the Selection Grade as well as the Special



Grade in the post of Primary School Headmaster. In this regard, the Government issued G.O.(M.s) No.234, School Education (G2) Department, dated 10.09.2009, in favour of certain individuals. The respondents herein wanted extension of the same benefit in their favour. The Government did not respond to their request. Hence, they filed the writ petitions. The writ petitions were allowed. Aggrieved by the same, the present writ appeals have been filed.

3. The issue involved in these Writ Appeals is no longer res-integra. The Full Bench decision rendered in (2017) 2 MLJ 257 (FB) - the Government of Tamil Nadu, represented by the Secretary, School Education Department, Fort St. George, Chennai-9 and others Vs. G.Eswaran and others, has already ruled against the Government and in favour of the retired employees. Since the issue raised in these Writ Appeals is covered by the said Full Bench Judgment, we have to necessarily dismiss the Writ Appeals.

4. Accordingly, these Writ Appeals stand dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To:

1.The Secretary,
Education Department,
Fort St.,George, Chennai-9.

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

3.The District Elementary Educational Officer,
Virudhunagar.

4.The Assistant Elementary Educational Officer,
Kariapatti Panchayat Union,
Kariapatti.

+1cc to Mr.V.MUNIASAMY,Advocate,SR. 72670

W.A. (MD) Nos. 471 to 473 of 2015
11.08.2017

KM

KK/SKN RSK/SAR 1/28.09.2017/ 3P- 6C/