



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2017

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN**W.P. (MD) .No. 11806 of 2014**

WEB COPY

S.Gaspar Kanagaraj

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St.George, Secretariat,
Chennai - 600 009.

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

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

4. The Additional Assistant Elementary
Educational Officer,
Sathankulam Union,
Tuticorin District.

5. The Correspondent,
R.C.Middle School,
Nedunkulam, Sathankulam Taluk,
Tuticorin District - 628 704.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents herein to sanction and award forthwith the Selection Grade of pay in the cadre of Middle School Headmaster with effect from 18.04.2000 and Special Grade of pay to the petitioner in the cadre of Middle School Headmaster with effect from 28.10.2007 on par with the similarly placed persons for whom such benefits have been sanctioned under G.O.Ms.No.210, School Education (G-1) Department dated 14.08.2009.

For Petitioner

: Mr.M.J.Shabu Jose

For R-1 to R-4

: Mr.S.Kumar

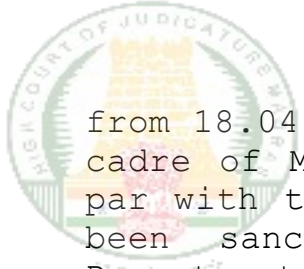
Additional Government Pleader

For R - 5

: No appearance

O R D E R

The petitioner has filed this Writ Petition to direct the respondents herein to sanction and award forthwith the Selection Grade of pay in the cadre of Middle School Headmaster with effect



from 18.04.2000 and Special Grade of pay to the petitioner in the cadre of Middle School Headmaster with effect from 28.10.2007 on par with the similarly placed persons for whom such benefits have been sanctioned under G.O.Ms.No.210, School Education (G-1) Department dated 14.08.2009.

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2. The petitioner was initially appointed as Junior Assistant on 05.06.1979. Later he acquired D.T.Ed., and became eligible for promotion as Secondary Grade Teacher and he was promoted as Secondary Grade Teacher on 28.10.1987. On completion of 10 years, he was placed on Selection Grade of pay with effect from 05.06.1989. Thereafter on completion of 20 years service he was placed on Special Grade of pay in cadre of Secondary Grade Teacher with effect from 05.06.1999. He acquired B.Ed. Degree in 1983 and promoted as Middle School Headmaster in the 5th respondent School on 18.04.2000.

3. According to the petitioner, he is entitled for the benefits of G.O.Ms.No.210, School Education (G-1) Department, dated 14.08.2009. In the said Government order, the Government has directed that the services rendered in the Selection Grade in the lower post shall be advanced for awarding Special Grade in the promotional post. However, the said Government Order indicates that the benefit would be extended only to those 65 persons who had filed cases before the Tamil Nadu Administrative Tribunal. Thus, the benefit of G.O.Ms.No.210 was not extended to the petitioner, the petitioner has come up with this Writ petition.

4. When a similarly placed person filed writ petition, this Court has directed the Government to extend the benefit of G.O.Ms.No.210, School Education (G-1) Department, dated 14.08.2009 to such similarly placed persons as well (vide order in W.P.No.16001 of 2010, dated 29.10.2011).

5. In view of the above settled position, in my considered opinion, since the petitioner is also similarly placed, he is entitled to the benefit of G.O.Ms.No. 210, School Education (G-1) Department, dated 14.08.2009.

6. In view of the above, the writ petition is disposed of with a direction to the respondents to extend the benefit of G.O.Ms. No.210, School Education (G-1) Department, dated 14.08.2009 to the petitioner and to pay the monetary benefits to him, within a period of six months from the date of receipt of a copy of this order. No Costs.

Sd/-

Assistant Registrar(AS)

/True Copy/



To:

1. The Secretary,
Department of School Education,
Fort St.George, Secretariat,
Chennai - 600 009.
2. The Director of Elementary Education,
College Road, Chennai - 600 006.
3. The District Elementary Educational Officer,
Tuticorin, Tuticorin District,
4. The Additional Assistant Elementary
Educational Officer,
Sathankulam Union,
Tuticorin District.

+1cc to Mr.A.Ajith Geethan, Advocate Sr.No.92176

KMI

VB/SKN/RSK/SAR2/01.06.2018/3P/6C

W.P. (MD) .No.11806 of 2014
08.12.2017