



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.[MD].No.838 of 2017

V.Muniyandi : Appellant/ Petitioner
Vs.

1.The Secretary to Government,
Department of School Education,
Secretariat
Fort Saint George, Chennai-600 009.

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

3.The District Elementary Educational Officer,
R.M.S. Road, Madurai District.

4.The Assistant Elementary Educational Officer,
Usilampatti, Madurai District. ...Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent to set aside the order dated 17.09.2010 made in W.P.(MD).No.3843 of 2010 on the file of this Court.

Prayer in WP(MD). 3843/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS, directing the Respondents herein to sanction and award selection grade and special grade pay to the Petitioner herein in the post of Headmaster of Primary School by reckoning and computing the petitioner service rendered as Secondary Grade Teacher prior to 1-6-88 as extended to 63 persons in G.O.Ms.No.234, School Education (G2) Department, dated 10-09-2009.

For Appellant : Mr.S.Karthik

For Respondents : Mr.V.R.Shanmuganathan,
Special Government Pleader,



JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.S.Karthik, learned counsel appearing for the appellant and Mr.V.R.Shanmuganathan, learned Special Government Pleader, appearing for the respondents.

2.By consent, the Writ Appeal is taken up for final disposal.

3.This Writ appeal is directed as against the order, dated 17.09.2010, made in W.P.(MD).No.3843 of 2010, passed as a common order in all cases.

4.Some of the writ petitioners, who have been similarly placed to that of the appellants, preferred W.A.(MD)Nos.312 to 318 of 2011 against the very same impugned order and the appeals were dismissed.

5.The learned counsel appearing for the appellant submitted that another Division Bench had allowed the writ appeals in W.A.(MD)Nos.185 & 186 of 2011, dated 04.06.2011. However, the Judgment of the Division Bench, dated 09.12.2015, is at a later point of time, which we are inclined to follow.

6.With the above observations, this writ appeal is dismissed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Secretary,
Department of School Education,
Secretariat
Fort Saint George, Chennai-600 009.
 - 2.The Director of Elementary Education
College Road, Chennai-600 006.
 - 3.The District Elementary Educational Officer,
R.M.S. Road, Madurai District.
 - 4.The Assistant Elementary Educational Officer,
Usilampatti, Madurai District.
- +One cc to Mr.S.Karthik, Advocate, SR.No.63035
Myr/ia
RL/6C/2P/KP/SAR1/28/7/2017

JUDGMENT MADE IN