

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 31.08.2017****CORAM :**

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.A(MD)Nos.287 & 288 of 2016**and****C.M.P(MD)Nos.1655 & 1657 of 2016**

- 1.The District Elementary Educational Officer,
Sivagangai, Sivagangai District.
- 2.The Assistant Elementary Educational Officer,
Devakottai 630 302,
Sivagangai District. ... Appellants in both appeals
Vs.
- 1.R.Kannan Baskar ...R1 in W.A.287 of 2016
2.S.Thirunavukkarasu ... R1 in W.A.288 of 2016
- 3.The Secretary,
Sri Shanmuga Middle School,
Velayuthapattinam - 630 311,
Sivagangai District. ... R2 in W.A.287 of 2016
- 4.The Secretary,
Devakottai Manikkam Middle School,
Devakottai,
Sivagangai District. ... R2 in W.A.288 of 2016

Common Prayer : These Writ Appeals are filed under Clause 15 of Letters Patent, to set aside the common order dated 28.04.2014 in WP(MD)Nos.7845 of 2012 and 8384 of 2012.

Prayer in WP(MD). 7845/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondent to place the petitioner for the selection grade and to pay, selection grade scale of pay from the date of completion of 10 years of service i.e. on 13.03.2008, with all monetary benefit from the date of completion of 10 years of service as secondary grade teacher i.e. 13.03.2008.

Prayer in WP(MD) . 8384/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus, directing the 1st and 2nd respondent to sanction selection grade and selection grade scale of pay to the petitioner from the date of completion of 10 years of service i.e on 02.02.2008 , with all monetary benefit from the date of completion of 10 years of service as secondary grade teacher i.e 02.02.2008 and pass such further or other orders.

For Appellants : Mr.T.S.Md.Mohideen, AGP
in both appeals.

For Respondents : Mr.T.Pon Ramkumar for R1
in both appeals.

No appearance
for R2 in both appeals.

C O M M O N J U D G M E N T

(Judgment of the Court was delivered by G.R.SWAMINATHAN, J.)

These writ appeals are directed against the common order dated 28.04.2014 made in WP(MD)Nos.7845 and 8384 of 2012 filed by the respective first respondents herein.

2.The respective first respondents were appointed as Secondary Grade Teachers on 13.03.1998 and 02.02.1998. They were degree holders. Their appointments were subsequently approved. They sought sanctioning of selection grade on completion of 10 years of service as Secondary Grade Teachers. They submitted representations in this regard. Their request was not considered. Therefore, they filed the said writ petitions. The department took the stand that when they were initially appointed, they had not undergone the training in child psychology. Therefore the period of 10 years will have to be computed from the date when they completed the the said child psychology training. But the learned Judge allowed the writ petitions on the ground that similarly placed teachers were granted relief. In that view of the matter, the appellants herein were directed to grant selection grade scale of pay to the first respondents herein with effect from 13.03.2008 and 02.02.2008 respectively. Aggrieved by the same, these writ appeals came to be filed.

3.The learned Additional Government Pleader appearing for the appellants contended that the computation of 10 years period cannot be made from the date of their initial appointments, but from the date of completion of child psychology training. We have already rejected the said contention vide order dated 12.07.2017 in WA(MD) No.1085 of 2014. The present writ appeals are similar. We therefore dismiss these writ appeals.



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4. These writ appeals are dismissed accordingly. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

+2cc to Mr.R.M.LOGANATHAN Advocate in SR. No. 75705

SKM/ARUL
JS/JC/SAR.1/5.10.2017/3P-3C

W.A(MD) Nos.287 & 288 of 2016
and
C.M.P(MD) Nos.1655 & 1657 of 2016
31.08.2017