



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. 354 to 358 of 2016
and
C.M.P. (MD) .Nos.2256 to 2264 of 2016

- 1.The Principal Secretary to Government,
School Education (G2) Department,
Chennai.
- 2.The Director of Elementary Education,
College Road, Chennai.
- 3.The District Elementary Educational Officer,
Collectorate, Karur District, Karur.
- 4.The Additional/ Assistant Elementary
Educational Officer,
Krishnarayapuram, Karur District. .. Appellants/
Petitioners
in all Writ Appeals

Vs.

- | | |
|-----------------|--|
| V.Govindasamy | .. Respondent/Writ Petitioner
in W.A. (MD) No.354 of 2016 |
| G.Gopal | .. Respondent/Writ Petitioner
in W.A. (MD) No.355 of 2016 |
| K.R.Govindarasu | .. Respondent/Writ Petitioner
in W.A. (MD) No.356 of 2016 |
| N.Gopal | .. Respondent/Writ Petitioner
in W.A. (MD) No.357 of 2016 |
| M.Ariyan | .. Respondent/Writ Petitioner
in W.A. (MD) No.358 of 2016 |

COMMON PRAYER: Writ Appeals are filed under Clause 15 of the
Letter Patent Act, to set aside the order dated 28.10.2013 in W.P.
(MD) NOS. 9788 to 9788 and 16707 to 16708 of 2013.

Prayer in all WPs :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to extend the benefits of G.O.Ms.No. 234 Education (G2) Department dated 10/09/2009 and to count the service rendered by the petitioners prior to 01/06/1988 as Secondary Grade Teacher for the purpose of fixation and grant of Selection and Special Grade Scale of pay in the post of Primary School Headmaster with all consequential benefits including payment of arrears of pay and allowances and re-fixation of pension and payment of arrears applicable to the petitioner.

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

For respondents : Mr.B.Saravanan
in all Writ Appeals

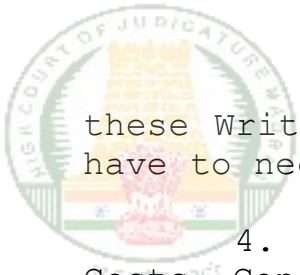
COMMON JUDGMENT

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

These writ appeals are directed against the common order dated 28.10.2013 made in W.P. (MD).Nos.9786 to 9788 and 16707 to 16708 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 as well 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 (CS-III)

/True copy/

Sub Assistant Registrar

To:

1.The Principal Secretary to Government,
School Education (G2) Department,
Chennai.

2.The Director of Elementary Education,
College Road, Chennai.

3.The District Elementary Educational Officer,
Collectorate, Karur District, Karur.

4.The Additional/ Assistant Elementary
Educational Officer,
Krishnarayapuram, Karur District.

+5cc to Mr.B.SARAVANAN,Advocate,SR. 72446

+1cc to M/S.Special Government Pleader,SR. 72891

W.A. (MD) Nos. 354 to 358 of 2016
11.08.2017

KM

KK/MR KKR/SAR 2/04.10.2017/ 3P- 11C/