

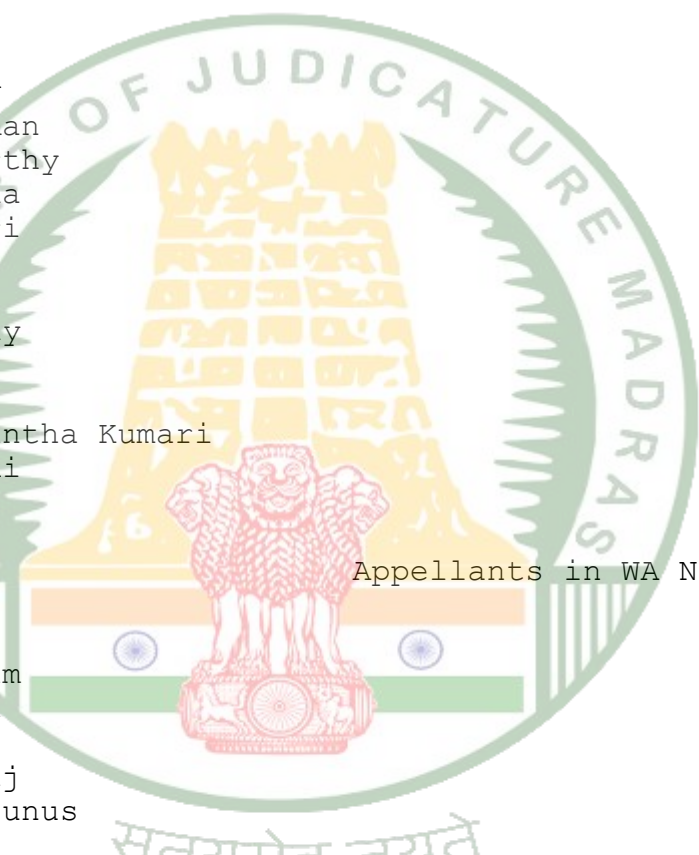
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
and
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.A.Nos.1299 to 1301 of 2014
and M.P.No.1 of 2014 in W.A.No.1301 of 2014

- 
- 1 S. Pitchai
2 R. Ramamurthy
3 M. Venkataraman
4 S. Sundaramurthy
5 J. Amsalalitha
6 N. Jotheeswari
7 K. Pichan
8 A. Savithri
9 V. Sambamurthy
10 K. Jayamani
11 P. Selladurai
12 A. Lucia Vasantha Kumari
13 N. Ranganayaki
14 C. Thangavel
15 V. Gopal
16 P. Kandasamy Appellants in WA No.1299/2014
- 1 R. Veerasamy
2 K. Visvalingam
3 N. Chinnaiyan
4 P. Arumugham
5 K. Krishna Raj
6 K. Mohamed Younus
7 D. Sambandam
8 P. Krishnamoorthy
9 B. Kaliyamoorthy
10 M. Selvaraj
11 P. Balakrishnan
12 P. Gnanam
13 C. Tamil Mani
14 K. Rajalakshmi
15 T. Raman
16 V. Srinivasan
17 M. Gurusamy
18 K. Velayutham
19 R. Jayaraman
20 M. Jaganathan
21 M. Annapooval
22 G. Baby
23 K. Govindan
- सत्यमेव जयते
- WEB COPY

24 C. Krishnan
25 I. Chinathai
26 K.K. Venkataramanan
27 S. Mani
28 T. Subramanian
29 V. Thiagarajan

Appellants in W.A.No.1300 of 2014

1 I. Asumathi
2 R. Velammal
3 G. Thanu Pillai
4 S. Razeedha
5 M. Muthukutti
6 T. Thavasikani
7 PA. Rajagopal
8 S. Kannaiyan
9 S. Bagyavathi
10 G. Dhanalakshmi
11 G. Ramachandran
12 G. Pasupathi
13 V. Seeniraj
14 P. Veluchamy
15 P. Gengammal
16 S. Subburaj

Appellants in W.A.No.1301 of 2014

Vs.

1 The Government of Tamil Nadu
represented by the Secretary to Government
School Education Department
Secretariat
Fort St. George
Chennai 600 009

2 The Director of School Education
College Road
Nungambakkam, Chennai 600 006

3 The Chief Educational Officer
Salem, Salem District 636 001

4 The Chief Educational Officer
Cuddalore, Cuddalore District

5 The Chief Educational Officer
Virudhunagar, Virudhunagar District

6 The District Education Officer
Cuddalore, Cuddalore District

7 The Secretary
Vallalar Gurukulam Hr. Sec. School
Vadalore 607 303
Cuddalore District

- 8 The Headmaster
Government Higher Secondary School
Koodamalai Post
Gangavalli Taluk
Salem District 636 105
- 9 The Headmaster
Government Girls Higher Secondary School
Koodamalai Post
Gangavalli Taluk
Salem District 636 105
- 10 The Headmaster
Government Girls Higher Secondary School
Setharapatti Post 636 110
Gangavalli Taluk
Salem District.
- 11 The Headmaster
Government Girls Higher Secondary School
Thammampatti Post 636 113
Gangavalli Taluk
Salem District
- 12 The Headmaster
Government Boys Higher Secondary School
Gangavalli Post 636 105
Gangavalli Taluk
Salem District
- 13 The Headmaster
Government Boys Higher Secondary School
Aathur Post 636 102
Aathur Taluk, Salem District
- 14 The Headmaster
Government High School
Kondayampalli Post 636 110
Gangavalli Taluk
Salem District.
- 15 The Headmaster
Government High School
Ulipuram Post 636 118
Gangavalli Taluk, Salem District
- 16 The Headmaster
Government Higher Secondary School
N. Subbaiahpuram 626 205
Sathur Taluk
Virudhunagar District

17 The Headmaster
Government Higher Secondary School
Manjini 636 141
Attur Taluk, Salem District

Respondents in WA No.1299 of 2014

1 The Government of Tamil Nadu
represented by the Secretary to Government
School Education Department
Secretariat
Fort St. George
Chennai 600 009

2 The Director of School Education
College Road
Nungambakkam, Chennai 600 006

3 The Chief Educational Officer
Ariyalur, Ariyalur District

4 The Chief Educational Officer
Trichy, Trichy District

5 The Chief Educational Officer
Cuddalore, Cuddalore District

6 The Chief Educational Officer
Salem, Salem District

7 The District Educational Officer
Udayarpalayam
Ariyalur District

8 The District Educational Officer
Lalkudi, Trichy District

9 The District Educational Officer
Salem, Salem District

10 The District Educational Officer
Virudhachalam, Cuddalore District

11 The Headmaster
Government Higher Secondary School
Melanikuzhi 612 903, Ariyalur District

12 The Headmaster
Government Boys Higher Secondary School
Udayarpalayam Taluk
Meensurthy 612 903
Ariyalur District

- 13 The Headmaster
Government Higher Secondary School
Ulkottai 612 903
Udayarpalayam Taluk
Ariyalur District
- 14 The Headmaster
Government High School - Nagar
Lalkudi Taluk
Trichy District
- 15 The Headmaster
Government High School
Thalakudi
Lalkudi Taluk, Trichy District
- 16 The Headmaster
Sevasangam Girls Higher Secondary School
Trichy - 1
- 17 The Headmaster
Government Higher Secondary School
Kodalikaruppur, Ariyalur District 612 902
- 18 The Headmaster
Government High School
Chinnaivalayam
Jayamkondam Taluk, Ariyalur District
- 19 The Headmaster
Government Higher Secondary School
Reddyur 608 304
Kattumannarkoil Taluk, Cuddalore District.
- 20 The Headmaster
Government Girls High School
Aragalur Post 636 101
Aathur Taluk, Salem District
- 21 The Headmaster
Government Higher Secondary School
Siruvachur Post 636 112
Aathur Taluk, Salem District
- 22 The Headmaster
Government Higher Secondary School
Marudhur 621 710
Ariyalur Taluk and District
- 23 The Correspondent
C.S.I. Higher Secondary School
Aathur 636 102
Aathur Taluk, Salem District

24 The Correspondent
P.R.G. Higher Secondary School
Kattumannar Koil 608 301
Cuddalore District

..Respondents in WA No.1300 of 2014

- 1 The Government of Tamil Nadu
represented by the Secretary to Government
School Education Department
Secretariat
Fort St. George
Chennai 600 009
- 2 The Director of School Education
College Road
Nungambakkam, Chennai 600 006
- 3 The Chief Educational Officer
Tirunelveli, Tirunelveli District
- 4 The Chief Educational Officer
Thiruppur, Thiruppur District
- 5 The Chief Educational Officer
Erode, Erode District
- 6 The Chief Educational Officer
Virudhunagar
Virudhunagar District
- 7 The Headmaster
Government Higher Secondary School
Eruvadi 627 103, Nanguneri Taluk
Thirunelveli District
- 8 The Headmaster
Government Girls Higher Secondary School
Eruvadi 627 103, Nanguneri Taluk
Thirunelveli District
- 9 The Headmaster
A.V.J. Government Higher Secondary School
Ettamozhi
Thirunelveli District
- 10 The Headmaster
Nanjappa Municipal Boys Higher Secondary School
Tiruppur 641 601
Tiruppur District

- 11 The Headmaster
Nanjappa Government Boys Higher Secondary School
Tiruppur 641 601
Tiruppur District
- 12 The Headmaster
Government High School
Lakkapuram, Erode
Erode District
- 13 The Headmaster
Government Higher Secondary School
Sippiparai 627 713
Virudhunagar District
- 14 The Headmaster
Government Higher Secondary School
Sathirareddiyapatti 626 001
Virudhunagar District.
- 15 The Headmaster
Government Higher Secondary School
Sankarapandiyapuram
Eazhayeram Pannai (via)
Sathur (T.K.)
Virudhunagar District
- 16 The Headmaster
Nadar Mahimai Higher Secondary School
Eazhayeram Pannai (Post)
Sathur (T.K.)
Virudhunagar District
- 17 The Headmaster
Government Higher Secondary School
Sevalpatti 626 140
Sathur (T.K.), Virudhu Nagar District
... Respondents in WA No.1301 of 2014

Prayer in W.A. No.1299 of 2014:

Writ Appeal filed under Clause 15 of the Letters Patent challenging the order dated 18.11.2013 passed in W.P. No.16135 of 2013.

Prayer in W.A. No.1300 of 2014:

Writ Appeal filed under Clause 15 of the Letters Patent challenging the order dated 18.11.2013 passed in W.P. No.10212 of 2013.

Prayer in W.A.No.1301 of 2014:

Writ Appeal filed under Clause 15 of the Letters Patent challenging the order dated 18.11.2013 passed in W.P. No.9917 of 2013.

Common Prayer in WP.No.16135/2013, 10212/2013 and

9917/2013: Directing the respondents to extend the benefit of G.O.Ms.No.216 Finance (PC) Department dt.22/3/1993 and G.O.Ms.No.270 Finance (PC) Department dt.26.8.2010 and G.O.Ms.No.258 School Education (M1) Department dt 6.9.2010 in the light of the orders of the Honourable Division Bench in W.P.No.8747 of 2009 dt 14.7.2009 as confirmed by the Honourable Apex Court in CC 2746/2010 dt 23.4.2010 immediately to the petitioners and award Special Grade Elementary School Headmaster pay scale to the petitioners with effect from 1.6.1988 onwards and other retiral benefits.

For appellants in : Mr.K.Thennan

all appeals

For respondents : Mr.R.Govindasamy, Spl.GP for
in all appeals R1 to R6 & R8 to R17 in

W.A.No.1299 of 2014,

R1 to R15 & R17 to R22 in

W.A.No.1300 of 2014 and

R1 to R15 & R17 in

W.A.No.1301 of 2014

COMMON JUDGMENT

(Delivered by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2.The issue raised in these writ appeals is squarely covered by the Full Bench judgment of this Court dated 9.12.2016 made in Review Application Nos.227 of 2015 in W.A.Nos.352 of 2014 etc., batch (Government of Tamil Nadu represented by its Secretary, School Education Department, Chennai and others v. G.Eswaran and others), wherein the Full Bench has directed as follows:-

"38.Today, when the matters are taken up for consideration, keeping in mind the financial strain that would fall on the State exchequer in the event of implementation of the G.O., and in order to give a quietus to the issue, we feel it appropriate to fix the date as 01.03.2017 from which date onwards, the Government shall calculate and revise the pension and family pension (without arrears) based on the revised scales of pay by implementing the G.O., for which, the learned Advocate General and the learned counsels appearing for the Teachers have fairly acceded to the same. Accordingly, we pass the following:

(i)The Government is directed to implement the G.O.Ms.No.216, dated 22.3.1993 for the period between 1.6.1988 and 31.12.1995, on and from 1.3.2017 onwards in respect of all the Secondary Grade Teachers of

High/Highest Secondary Schools including the Special Teachers who attained Selection grade/Special Grade during the above said period, on par with the pay scale of Primary School Headmasters;

(ii)Consequently, the Government shall calculate and revise the pension of those who retired from service and revise the family pension in respect of those who expired, based on the revised scales of pay in terms of G.O.Ms.No.216, dated 22.3.1993 payable on and from 1.3.2017;

(iii)It is made clear that the beneficiaries under this order, are not entitled to the arrears of revised pay scales;

(iv)It is further made clear that the benefits as directed above, shall be extended to the parties who are before this Court alone and no fresh Writ Petitions would be entertained on and from 09.12.2016;

(v)The Government is directed, to expedite the process of calculating and fixing the revised pension and family pension and we do hope that the Government will complete the same as early as possible without making any further delay;

(vi)All the matters which are at SR stage and listed before this Court are also ordered and disposed of by this common order and consequently, connected MPs thereof, are ordered;

39.With the above directions, all the captioned matters, viz., Writ Appeals, Writ Petitions, Review Applications are disposed of and the Contempt Petitions are closed. There shall be no order as to costs. Consequently, all connected Miscellaneous Petitions are closed."

3.Accordingly, these writ appeals stand disposed of in terms of the judgment of the Full Bench as mentioned above. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

KM

To

- 1 The Secretary to Government
School Education Department
Government of Tamil Nadu
Secretariat
Fort St. George
Chennai 600 009
- 2 The Director of School Education
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Virudhunagar District
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Government Higher Secondary School
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Sathur (T.K.), Virudhu Nagar District.

+3cc to Mr.K.Thennan, Advocate Sr.No.52552/2018

NA(CO)
sm:20.8.2018



W.A.No.1299 to 1301 of 2014
and
M.P.No.1 of 2014 in
W.A.No.1299 of 2014

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