

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on :22.3.2018

Delivered on : 25.6.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.Nos.447 to 455 of 2018

and

C.M.P.Nos.3925 to 3931 & 4185 of 2018

1 V.VIJAYALAKSHMI
2 K.VARADARAJAN
3 S.SAKUNTHALA
4 R.KANCHANA
5 G.RAMANATHAN
6 P.ANBALAGAN
7 P.THULASI
8 K.M.THARA
9 M.GOVINDASAMY
10 V.KRISHNAMOORTHY
11 P.V.VADIVEL
12 R.THAVAMANI
13 M.ROSEMARY
14 V.R.SOUNDARARAJAN
15 M.SIVAPRAKASAM
16 P.ABDULRAVOOF KHAN
17 L.THANGESWARAN
18 G.VAJIRAVEL
19 M.KARUNAKARAN
20 M.SEVATHA GOUNDAR

सत्यमेव जयते

...APPELLANTS/PETITIONERS IN
W.A.NO.447/2018

1 S.RAMACHANDRAN
2 R.SARADHA
3 G.RAJESWARI
4 M.JEYALAKSHMI
5 L.THANGAMUTHU
6 G.GANGA BHAGIRATHI
7 V.R.BANUMATHI
8 S.LAKSHMI
9 C.KARUPPUSAMY

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10 T.BAKTHAVACHALAN
11 X.SAROJA

... PETITIONER in W.A NO.448 of 2018

1 S.VARADARAJU
2 A.V.ELUMAAI
3 M.CHINNA KUZHANDAI
4 G.ARUMUGAM
5 T.CHELLAMMAL
6 V.SELVI
7 P.RANGANATHAN
8 N.MUNUSAMY
9 V.SADASIVAM
10 N.BOOPALAN
11 P.TAYALAN
12 D.RAMASAMY
13 P.TAYALAN
14 G.RAMASAMY
15 V.KUPPUSAMY
16 G.ARUMUGAM
17 M.ARUNACHALAM

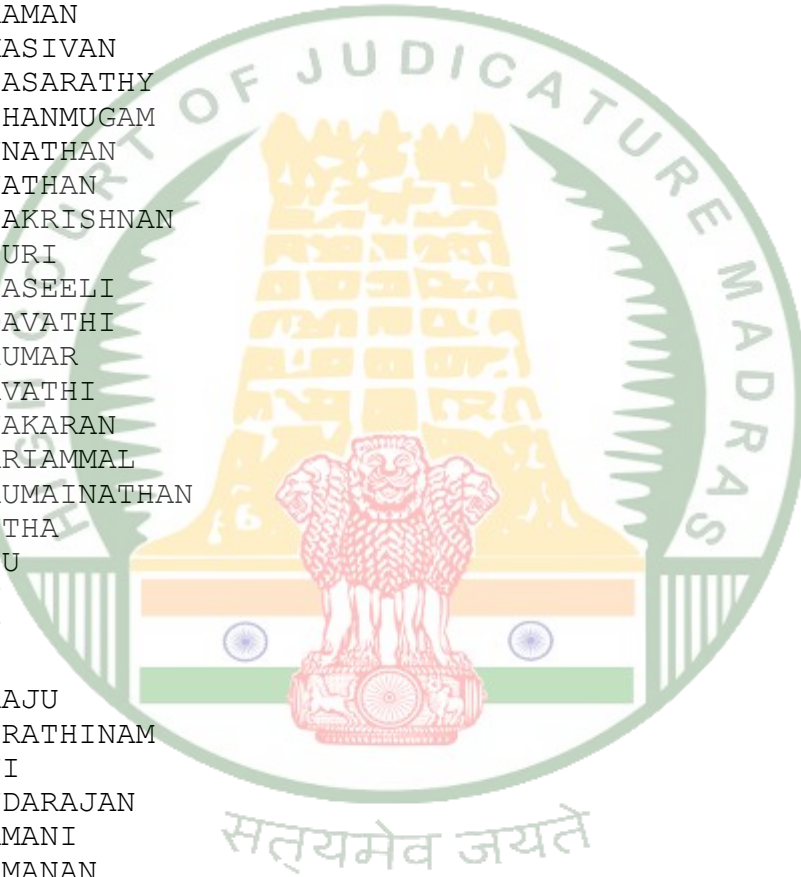
... PETITIONER in WA No.449 of 2018

1 P.LAKSHMI
2 S.ALGAMMAL
3 S.THULASIDOSS
4 ANNAPARIPOORANAM
5 S.KUPPUSAMY
6 K.NATARAJAN
7 T.LALITHABAI

... PETITIONER in WA No.450 of 2018

1 A.C.ABDULLA BASHA
2 B.VASUDEVAN
3 ASIRVATHAM
4 P.SUGUNADEVI
5 Z.DANIAL
6 P.SARASWATHI
7 J.JEJAJOTHI
8 C.DHANABACKIYAM
9 M.ANBUMANI
10 K.RAMASAMY
11 J.LEELAPUSHPAM VICTOR

12 N.MARGABANDU
13 A.SHANMUGASUNDARAM
14 R.CHANDIRANI
15 C.M.NATARAJAN
16 S.KOKILA
17 V.M.RANGARAJU
18 T.KANNADASAN
19 M.JAYARAMAN
20 S.SHEBA RAJAKUMARI
21 M.JOTHI BAI
22 K.JAYARAMAN
23 M.PARAMASIVAN
24 V.PARTHASARATHY
25 V.SIVASHANMUGAM
26 N.JAGANNATHAN
27 T.RAMANATHAN
28 D.GOPALAKRISHNAN
29 S.KASTHURI
30 C.J.JAYASEELI
31 M.J.VEDAVATHI
32 D.JAYAKUMAR
33 C.AMARAVATHI
34 M.KARUNAKARAN
35 N.SUNDARIAMMAL
36 DEVA ARUMAINATHAN
37 S.VASANTHA
38 MANIVELU
39 M.MUTHU
40 P.RAMAN
41 U.MANI
42 M.DEVARAJU
43 M.SUBBIRATHINAM
44 N.PALANI
45 K.GOVINDARAJAN
46 E.SUBRAMANI
47 N.LAKSHMANAN
48 K.RANGASWAMY
49 R.SENTHAMARAI
50 P.PURUSHOTHAMAN
51 D.DANIEL
52 KAVIARASI
53 J.LOUIS MANONMANI
54 J.VICTOR
55 K.MEENATCHI
56 N.KAMALAVALLI
57 V.BALARAMAN
58 M.KARPAGAM



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59 M.MANI
60 G.VARADHARAJULU
61 M.KALAISELVI
62 S.M.ZUBAIR AHAMED
63 M.ADILAKSHMI
64 A.VICTORIYA
65 J.ROSEMERY
66 T.SANKARAN
67 A.SULOCHANA
68 M.BHUVANESHWARI
69 K.GUNASEKARAN
70 K.MAGHUL BEGUM
71 P.MARGASAGAYAM

... PETITIONER in WA No.451 of 2018

1 K.SAGUNTHALAI
2 R.NALLAMMAL
3 N.PAVAYEE
4 J.DHANAM KAUSALYA BAI
5 P.RAJARATHINAM
6 R.RAMANATHAN
7 T.RAJAMANI
8 T.VASANTHA
9 S.LOGAMMAL
10 A.BABY SAROJA
11 K.K.MURUGESAN
12 S.MARUTHANAYAKAM
13 M.GUNASEKARAN
14 M.VELUSAMY
15 R.ARUMUGAM
16 R.SHANMUGAM
17 R.V.PALANIAPPAN
18 K.RAMACHANDRAN
19 P.R.MUTHUSAMY
20 K.D.RAMACHANDRAN
21 K.SUBRAMANIAN
22 S.P.RAMASAMY
23 V.SHANTHI
24 P.ARUKANI
25 K.SUNDARAM
26 M.VADIVEL
27 L.SADHASIVAM
28 P.MUTHUSAMY
29 S.KRISHNAMURTHY
30 P.KUPPAMUTHU

... PETITIONER in WA No.452 of 2018

1 SAGUNTHALA
2 M.KALIYAMMAL
3 A.NATARAJAN

4 S.RATHINAVADIVEL
5 R.PALANISAMY
6 A.R.NATARAJAN
7 M.SUBRAMANIAN

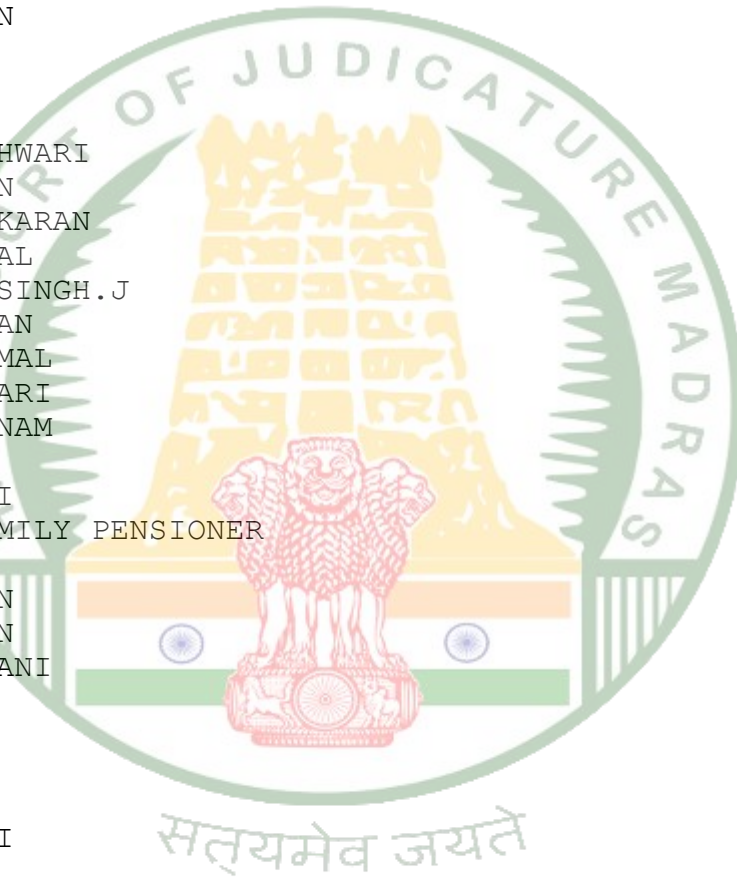
... PETITIONER in WA No.453 of 2018

1 P.GURUMOORTHY
2 R.SUNDARAM
3 S.LAKSHMIKANTHAN
4 S.VEMBU
5 A.ROBERT CLIVE
6 S .SRIDHAR
7 M.KALAIYARASAN
8 T.MINNALKODI
9 P.THANKAM
10 E.SANTHI
11 A.R.MANICKAM
12 G.NAGARAJAN
13 R.RADHA
14 V.CHOCKANATHAN
15 R.GUNASEKARAN
16 M.DHARMADASS
17 M.MURUGAIAN
18 M.JOSEPH
19 T.RAMALINGAM
20 S.THANGADURAI
21 M.MAHALINGAM
22 K.JEYARAMAN

... PETITIONER in WA No.454 of 2018

1 R.MUNIRATHINAM
2 K.TAMILKOZHUNTHU
3 N.SAMBANDAN
4 S.KALAIKATHIRAVAN
5 M.CHACKARABANI
6 M.EKAMBARAM
7 M.PALANIVEL
8 K.ISMAIL
9 P.RAMACHANDRAN
10 N.RADHAKRISHNAN
11 C.BAZEERKHAN
12 R.THIRUMALAI
13 A.RAMADASS
14 A.SUBRAMANIAN
15 M.SADASIVAM
16 L.M.MANIVASAGAM
17 G.KAMALAKANNAN
18 V.P.KALAISELVI

19 K. JAYAPRAKASH
20 R. NATARAJAN
21 S. DEVARASU
22 K. BALAMBAL
23 M. SANKARALINGAM
24 P. KUPPUSAMY
25 R. KALYALASUNDARAM
26 S. KUPPUSAMY
27 V. BALASUNDARAM
28 R. HARIKRISHNAN
29 P. R. KRISHNAMURTHY
30 K. ARANGANATHAN
31 V. NATARAJAN
32 C. MURUGAN
33 R. RAMAIAH
34 V. SELVARAJ
35 S. JAGADEESHWARI
36 A. MURUGESAN
37 P. S. RAJASEKARAN
38 R. NANDAGOPAL
39 DAVID JAYASINGH. J
40 S. MUNIYAPPAN
41 S. SUNDARAMMAL
42 R. BHUVESHWARI
43 S. POONGAVANAM
44 K. BALAMBAL
45 N. MOHANABAI
46 KAMALA FAMILY PENSIONER
47 V. RANI
48 M. MANNATHAN
49 V. THANAPPAN
50 M. RASHIYAMANI
51 V. CHELLAN
52 T. SUNDARAM
53 S. SANTHA
54 R. DHANAM
55 R. KALAVATHI
56 A. VANITHA
57 K. SAGUNTHALA
58 M. KRISHNAN
59 K. JAYARAMAN
60 E. ELLAPPAN
61 M. RATHINAVELU
62 K. GANAMURTHY
63 M. SOMASUNDARAM
64 K. RAGAVAN
65 S. GANESAN
66 S. SAMPATH
67 G. KUPPUSAMY
68 K. LAKSHMI



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69 R.SOMASUNDARAM
70 A.VALLIYAMMAL
71 K.S.RAMANI
72 J.KANAGAVALLI
73 S.PURUSHOTHAMAN
74 G.MURUGESAN
75 S.N.ANBUNATHAN
76 P.JAGADEESAN

... PETITIONER in WA No.455 of 2018

Versus

1 THE STATE OF TAMILNADU
REP. BY THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT
FORT ST. GEORGE CHENNAI-600 009.

2 THE DIRECTOR OF ELEMENTARY EDUCATION
COLLEGE ROAD NUNGAMBAKKAM
CHENNAI-600 006

3 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER
KRISHNAGIRI KRISHNAGIRI DISTRICT.

4 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER
KAVERIPATTINAM KRISHNAGIRI DISTRICT.

5 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER
VEPPANAPALLI KRISHNAGIRI DISTRICT.

6 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER
UTHANGARAI KRISHNAGIRI DISTRICT.

7 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER
MATHUR KRISHNAGIRI DISTRICT.

...RESPONDENTS/RESPONDENTSIN
W.A.NO.447/2018

1 THE STATE OF TAMIL NADU
THE SECRETARY TO GOVERNMENT ADI DRAVIDAR
AND TRIBAL WELFARE DEPARTMENT FORT ST.
GEORGE CHENNAI-9.

2 THE DIRECTOR OF ADI DRAVIDAR
AND TRIBAL WELFARE CHEPAUK CHENNAI-6.

- 3 THE DISTRICT ADI DRAVIDAR AND
TRIBAL WEFARE OFFICER VILLUPURAM
VILLUPURAM DISTRICT.
- 4 THE DISTRICT ADI DRAVIDAR AND
TRIBAL WEFARE OFFICER VELLORE VELLORE
DISTRICT.
- 5 THE DISTRICT ADI DRAVIDAR AND
TRIBAL WEFARE OFFICER SINGARAVELAR MALIGAI
CHENNAI CHENNAI DISTRICT.
- 6 THE SPECIAL TASHILDAR
ADI DRAVIDAR AND TRIBAL WELFARE TINDIVANAM
VILLUPURAM DISTRICT.
- 7 THE SPECIAL TASHILDAR
ADI DRAVIDAR AND TRIBAL WELFARE GUDIYATHAM
VELLORE DISTRICT.

... RESPONDENT in WA No.448 of 2018

- 1 THE STATE OF TAMILNADU REP. BY
THE SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9
- 2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD NUNGAMBAKKAM
CHENNAI-6
- 3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER TIRUVANNAMALAI
TIRUVANNAMALAI DISTRICT
- 4 THE ASSISTANT ELEMENTARY
EDUCATION OFFICER CHETPET TIRUVANNAMALAI
DISTRICT
- 5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER PUDUPALAYAM
TIRUVANNAMALAI DISTRICT
- 6 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KALASAPAKAM
TIRUVANNAMALAI DISTRICT

7 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THURINJAPURAM
TIRUVANNAMALAI DISTRICT

... RESPONDENT in WA No.449 of 2018

1 THE STATE OF TAMILNADU
REP. BY THE SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9.

2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD NUNGAMBAKKAM
CHENNAI-6.

3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER DINDIGUL DINDIGUL
DISTRICT.

4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER TIRUPPUR TIRUPPUR
DISTRICT.

5 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANNIYAKUMARI
KANNIYAKUMARI DISTRICT.

6 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THOPPAMPATTI DINDIGUL
DISTRICT.

7 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER VEDASANDUR DINDIGUL
DISTRICT.

8 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KODAIKANAL DINDIGUL
DISTRICT.

9 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KUDIMANGALAM TIRUPPUR
DISTRICT.

10 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KULACHAL NAGARKOIL
KANNIYAKUMARI DISTRICT.

... RESPONDENT in WA No.450 of 2018

1 THE STATE OF TAMILNADU
REP. BY THE SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9.

2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD NUNGAMBAKKAM
CHENNAI-6.

3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER VELLORE VELLORE
DISTRICT.

4 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER GUDIYATHAM VELLORE
DISTRICT.

5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER PERANAMPATTU VELLORE
DISTRICT.

6 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER ANAICUT VELLORE
DISTRICT.

... RESPONDENT in WA No.451 of 2018

1 THE STATE OF TAMILNADU
REP. BY THE SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9.

2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD NUNGAMBAKKAM
CHENNAI-6.

3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER NAMAKKAL NAMAKKAL
DISTRICT.

4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER SALEM SALEM DISTRICT.

5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER MOGANUR NAMAKKAL
DISTRICT.

- 6 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER PUDHUCHATRAM NAMAKKAL
DISTRICT.
- 7 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER NAMAKKAL NAMAKKAL
DISTRICT.
- 8 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER NAMAGIRIPETTAI
NAMAKKAL DISTRICT.
- 9 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER ELACHIPALAYAM NAMAKKAL
DISTRICT.
- 10 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER AYOTHIYAPATTINAM SALEM
DISTRICT.
- 11 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KADAYAMPATTI SALEM
DISTRICT.
- 12 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER SALEM (URBAN) SALEM
DISTRICT.
- 13 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER VEERAPANDI SALEM
DISTRICT.

... RESPONDENT in WA No.452 of 2018

- 1 THE STATE OF TAMILNADU
REP. BY THE SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9.

- 2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD NUNGAMBAKKAM
CHENNAI-6.
- 3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER COIMBATORE COIMBATORE
DISTRICT.

- 4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER DINDIGUL DINDIGUL
DISTRICT.
- 5 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER TIRUPPUR TIRUPPUR
DISTRICT.
- 6 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER AANAIMALAI COIMBATORE
DISTRICT.
- 7 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THOPPAMPATTI DINDIGUL
DISTRICT.
- 8 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER MADATHUKULAM TIRUPPUR
DISTRICT. ... RESPONDENT in WA No.453 of 2018

- 1 THE STATE OF TAMIL NADU
REP. BY THE SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9.
- 2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD NUNGAMBAKKAM
CHENNAI-6.
- 3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER NAGAPATTINAM
NAGAPATTINAM DISTRICT
- 4 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER NAGAPATTINAM
NAGAPATTINAM DISTRICT

- 5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER VETHARANYAM
NAGAPATTINAM DISTRICT
- 6 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KUTHALAM NAGAPATTINAM
DISTRICT

7 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THALAINAIRU
NAGAPATTINAM DISTRICT

8 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THIRUMARUGAL
NAGAPATTINAM DISTRICT

... RESPONDENT in WA No.454 of 2018

1 THE STATE OF TAMILNADU
REP. BY THE SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9.

2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD NUNGAMBAKKAM
CHENNAI-6.

3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANCHEEPURAM
KANCHEEPURAM DISTRICT.

4 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER ACHIRUPAKKAM
KANCHEEPURAM DISTRICT.

5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER UTHIRAMERUR
KANCHEEPURAM DISTRICT.

... RESPONDENT in WA No.455 of 2018

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent
against the order dated 15.12.2016 passed in W.P.No.30395 of
2014 on the file of this court.

Prayer in W.A.Nos.448 to 455 of 2018:

Writ Appeal filed under Clause 15 of the Letters patent
against the order dated 15.12.2016 passed in W.P.Nos.30395 of
2014, 4187/14, 30244/14, 30361/14,
30424/14, 30418/14, 30359/14, 30360/14 and 30414/14 respectively.

Prayer in WP No.30395 of 2014:

Directing the respondents to extend the benefit of the
G.O.Ms.No.234 School Education (G2) Department dated 10.09.2009
in so far as the petitioners are concerned and accordingly to

award Selection / Special Grade scales of pay in the post of Elementary School Headmaster by taking count of their lower cadre Secondary Grade Assistant service as given to 63 teachers are concerned

Prayer in WP No.4187 of 2014:

Directing the respondents to extend the benefit of the G.O.Ms. No.234 School Education (G2) Department dated 10.9.2009 in so far as the petitioners are concerned and accordingly to award Selection Grade/ Special Grade Scale of Pay in the post of Elementary School Headmaster by taking count of their lower cadre Secondary Grade Assistant service as was given to 63 persons is concerned

Prayer in WP No.30244 of 2014:

Directing the respondents to extend the benefit of the G.O.Ms.No.234 School Education (G2) Department dated 10.09.2009 in so far as the petitioners are concerned and accordingly to award Selection / Special Grade scale of pay in the post of Elementary School Headmaster by taking count of their lower cadre Secondary Grade Assistant service as given to 63 persons are concerned

Prayer in WP No.30361 of 2014:

Directing the Respondents to extend the benefit of the G.O.Ms.No.234, School Education (G2) Department dt.10.09.2009 in so far as the petitioner is concerned and accordingly to award Selection / Special Grade Scale of pay in the post of Elementary School Headmaster by taking count of thier lower cadre Secondary Grade Assistant service as given to 63 persons is concerned

Prayer in WP No.30424 of 2014:

Directing the respondents to extend the benefit of the G.O.Ms.No.234 School Education (G2) Department dated 10.09.2009 in so far as the petitioners are concerned and accordingly to award Selection / Special Grade scales of pay in the post of Elementary School Headmaster by taking count of their lower cadre Secondary Grade Assistant service as given to 63 teachers are concerned

Prayer in WP No.30418 of 2014:

Directing the respondents to extend the benefit of the G.O.Ms.No.234 School Education (G2) Department dated 10.09.2009 in so far as the petitioners are concerned and accordingly to

award Selection / Special Grade scales of pay in the post of Elementary School Headmaster by taking count of their lower cadre Secondary Grade Assistant service as given to 63 teachers are concerned

Prayer in WP No.30359 of 2014:

Directing the respondents to extend the benefit of the G.O.Ms. No.234 School Education (G2) Department dated 10.9.2009 in so far as the petitioners are concerned and accordingly to award Selection Grade/ Special Grade Scale of Pay in the post of Elementary School Headmaster by taking count of their lower cadre Secondary Grade Assistant service as was given to 63 persons is concerned

Prayer in WP No.30360 of 2014:

Directing the respondents to extend the benefit of the G.O.Ms. No.234 School Education (G2) Department dated 10.9.2009 in so far as the petitioners are concerned and accordingly to award Selection Grade/ Special Grade Scale of Pay in the post of Elementary School Headmaster by taking count of their lower cadre Secondary Grade Assistant service as was given to 63 persons is concerned

Prayer in WP No.30414 of 2014:

Directing the respondents to extend the benefit of the G.O.Ms.No. 234 School Education (G2) Department dt 10.9.2009 in so far as the petitioners are concerned and accordingly to award Selection Grade / Special Grade Scale of Pay in the post of Elementary School Headmaster by taking count of their lower cadre Secondary Grade Assistant service as was given to 63 persons is concerned

For appellants : Mr.A.R.Suresh

For respondents : Mr.K.Karthikeyan,
Government Advocate

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COMMON JUDGMENT

(Judgment of the court was made by RMT.TEEKAA RAMAN, J.)

Challenging the correctness of the order passed by the learned Single Judge dismissing the writ petitions seeking the

relief to extend the benefits conferred under G.O.Ms.No.234 School Education (G2) Department dated 10.9.2009.

2. The learned Single Judge, after going through the rival submissions of the parties and also relying upon the Division Bench judgment dated 9.12.2015 rendered in W.A.(MD) Nos.312 to 318 of 2011, etc. batch, has held that the appellants are not entitled to the benefit.

3. Learned counsel appearing for the appellants would contend that there is another Division Bench judgment in their favour and therefore, the learned Single Judge ought to have referred the matter to a Larger Bench.

4. We have also heard the learned Government Advocate appearing for the respondents and perused the order the learned Single Judge in the light of the judgment of the Supreme Court in STATE OF UP v. ARVIND KUMAR SRIVASTAVA ((2015) 1 SCC 347), wherein it has been held as under:-

"Those persons who did not challenge the wrongful action in their cases and acquiesced into the same and woke up after long delay only because of the reason that their counterparts who had approached the court earlier in time succeeded in their efforts, then such employees cannot claim that the benefit of the judgment rendered in the case of similarly situated persons be extended to them. They would be treated as fence-sitters and laches and delays, and/or the acquiescence, would be a valid ground to dismiss their claim."

5. In the instant case, some people, who felt aggrieved by the G.O., have filed the Original Application in the year 1993 before the Tamil Nadu Administrative Tribunal and the same was allowed. Thereafter, it appears that these petitioners approached this court after lapse of 25 years and hence, the ratio laid down by this court for extending similar benefits to the similarly placed persons is hit by laches and the view taken by the Division Bench in W.A.No.312 to 318 of 2011. The order

passed by the learned Single Judge does not warrant any modification as it does not suffer from any illegality or infirmity. In that view of the matter, all the above writ appeals are dismissed. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssk.

To:

- 1 THE SECRETARY TO GOVERNMENT
STATE OF TAMILNADU,
SCHOOL EDUCATION DEPARTMENT
FORT ST. GEORGE CHENNAI-600 009.
- 2 THE DIRECTOR
THE DIRECTOR OF ELEMENTARY EDUCATION
COLLEGE ROAD NUNGAMBAKKAM
CHENNAI-600 006
- 3 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER
KRISHNAGIRI KRISHNAGIRI DISTRICT.
- 4 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER
KAVERIPATTINAM KRISHNAGIRI DISTRICT.
- 5 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER
VEPPANAPALLI KRISHNAGIRI DISTRICT.
- 6 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER
UTHANGARAI KRISHNAGIRI DISTRICT.
- 7 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER
MATHUR KRISHNAGIRI DISTRICT.
- 8 THE STATE OF TAMIL NADU
THE SECRETARY TO GOVERNMENT ADI DRAVIDAR
AND TRIBAL WELFARE DEPARTMENT FORT ST.
GEORGE CHENNAI-9.

- 9 THE DIRECTOR OF ADI DRAVIDAR
AND TRIBAL WELFARE CHEPAUK CHENNAI-6.
- 10 THE DISTRICT ADI DRAVIDAR AND
TRIBAL WELFARE OFFICER VILLUPURAM
VILLUPURAM DISTRICT.
- 11 THE DISTRICT ADI DRAVIDAR AND
TRIBAL WELFARE OFFICER VELLORE VELLORE
DISTRICT.
- 12 THE DISTRICT ADI DRAVIDAR AND
TRIBAL WELFARE OFFICER SINGARAVELAR MALIGAI
CHENNAI CHENNAI DISTRICT.
- 13 THE SPECIAL TASHILDAR
ADI DRAVIDAR AND TRIBAL WELFARE TINDIVANAM
VILLUPURAM DISTRICT.
- 14 THE SPECIAL TASHILDAR
ADI DRAVIDAR AND TRIBAL WELFARE GUDIYATHAM
VELLORE DISTRICT.
- 15 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER TIRUVANNAMALAI
TIRUVANNAMALAI DISTRICT
- 16 THE ASSISTANT ELEMENTARY
EDUCATION OFFICER CHETPET TIRUVANNAMALAI
DISTRICT
- 17 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER PUDUPALAYAM
TIRUVANNAMALAI DISTRICT
- 18 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KALASAPAKAM
TIRUVANNAMALAI DISTRICT
- 19 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THURINJAPURAM
TIRUVANNAMALAI DISTRICT
- 20 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER DINDIGUL DINDIGUL
DISTRICT.

- 21 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER TIRUPPUR TIRUPPUR
DISTRICT.
- 22 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANNIYAKUMARI
KANNIYAKUMARI DISTRICT.
- 23 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THOPPAMPATTI DINDIGUL
DISTRICT.
- 24 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER VEDASANDUR DINDIGUL
DISTRICT.
- 25 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KODAIKANAL DINDIGUL
DISTRICT.
- 26 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KUDIMANGALAM TIRUPPUR
DISTRICT.
- 27 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KULACHAL NAGARKOIL
KANNIYAKUMARI DISTRICT.
- 28 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER VELLORE VELLORE
DISTRICT.
- 29 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER GUDIYATHAM VELLORE
DISTRICT.
- 30 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER PERANAMPATTU VELLORE
DISTRICT.
- 31 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER ANAICUT VELLORE
DISTRICT.
- 32 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER NAMAKKAL NAMAKKAL
DISTRICT.

- 33 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER SALEM SALEM DISTRICT.
- 34 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER MOGANUR NAMAKKAL
DISTRICT.
- 35 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER PUDHUCHATRAM NAMAKKAL
DISTRICT.
- 36 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER NAMAKKAL NAMAKKAL
DISTRICT.
- 37 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER NAMAGIRIPETTAI
NAMAKKAL DISTRICT.
- 38 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER ELACHIPALAYAM NAMAKKAL
DISTRICT.
- 39 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER AYOTHIYAPATTINAM SALEM
DISTRICT.
- 40 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KADAYAMPATTI SALEM
DISTRICT.
- 41 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER SALEM (URBAN) SALEM
DISTRICT.
- 42 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER VEERAPANDI SALEM
DISTRICT.
- 43 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER COIMBATORE COIMBATORE
DISTRICT.
- 44 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER DINDIGUL DINDIGUL
DISTRICT.
- 45 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER TIRUPPUR TIRUPPUR
DISTRICT.

- 46 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER AANAIMALAI COIMBATORE
DISTRICT.
- 47 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THOPPAMPATTI DINDIGUL
DISTRICT.
- 48 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER MADATHUKULAM TIRUPPUR
DISTRICT.
- 49 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER NAGAPATTINAM
NAGAPATTINAM DISTRICT
- 50 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER NAGAPATTINAM
NAGAPATTINAM DISTRICT
- 51 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER VETHARANYAM
NAGAPATTINAM DISTRICT
- 52 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER KUTHALAM NAGAPATTINAM
DISTRICT
- 53 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THALAINAIRU
NAGAPATTINAM DISTRICT
- 54 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER THIRUMARUGAL
NAGAPATTINAM DISTRICT
- 55 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANCHEEPURAM
KANCHEEPURAM DISTRICT.
- 56 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER ACHIRUPAKKAM
KANCHEEPURAM DISTRICT.

57 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER UTHIRAMERUR
KANCHEEPURAM DISTRICT.

+1cc to Mr.V.Thirupathi, Advocate Sr.40272
+1cc to the Government Pleader Sr.40902

W.A.Nos.447 to 455 of 2018

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srg 14/08/2018



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