

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.Nos.57 and 236 to 274 of 2018
and

C.M.P.Nos.383 and 1924 to 1971 of 2018

1. The State of Tamil Nadu
represented by its Secretary,
Education Department,
Secretariate, Chennai.1st appellant in WA.57/2018,
1st appellant in WA.240/18,
WA.241/18, 2nd Appellant in
WA.242/18, 1st Appellant in
WA.249/18, WA.251/18,
WA.258/18, 1st Appellant in
WA.253/18, WA.261/18,
WA.262/18, 263/18, 264/18,
265/18, 266/18, 267/18,
WA.270/18, 271/18
2. The Director of School Education
(Higher Secondary),
College Road,
Chennai-600 006.2nd Appellant in WA.57/18, 3rd
Appellant in WA.236/18, 1st
Appellant in WA.237/18, 2nd
Appellant in WA.238/18, 2nd
Appellant in WA.239/18, 2nd
Appellant in WA.NO.240/18,
WA.241/18, 2nd Appellant in
WA.240/18, WA.241/18, 3rd Appellant
in WA.242/18, 2nd Appellant in
WA.243/18 WA.244/18, 2nd Appellant
in WA.247/18, 2nd Appellant in
WA.249/18, WA.250/18, WA.254/18,
255/18, 256/18, 259/18, 260/18,
261/18, 259/18, 260/18, 262/18,
263/18, 264/18, 265/18, 266/18, 3rd
Appellant in WA.258/18
3. The Chief Educational Officer,
Ootacamund,
The Nilgiris District.3rd Appellant in
W.A.No.57/2018,W.A.250/18,251/18,
WA.259/18, WA.265/18, WA.272/18

The State of Tamil Nadu,
Rep. by the Secretary to
the Government Finance
(Pay Cell) Department,
Fort St. George, Chennai.

..1st Appellant in WA.236/2018,
WA.242/2018, WA.246/2018,
WA.258/2018

The Director of Elementary Education,
College Road, Chennai-6.

..2nd Appellant in WA.261/18

The District Elementary Education Officer,
Karur District, Karur.

..3rd Appellant in WA.261/18

The District Elementary Education Officer,
Thiruvannamalai, Thiruvannamalai District

The District Elementary Education Officer,
Kancheepuram, Kancheepuram District

The District Elementary Education Officer,
Salem, Salem District.

The Assistant Elementary Education Officer,
Thalaivasal, Salem District

The Assistant Elementary Education Officer,
Anakkavoor Panchayat Union Unit,
Anakkavoor, Thiruvannamalai District.

The Assistant Elementary Education Officer,
Thurinjapuram, Thiruvannamalai District...3rd

The Assistant Elementary Education Officer,
Cheyyar, Thiruvannamalai, District.

..Appellants 3 to 9 in WA.252/18

The Government of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Fort St. George,
Chennai-600 009

.. 2nd Appellant in WA.236/2018 1st
Appellant in WA.238/2018, 1st
Appellant in WA.239/18, WA.293/2018
WA.245/18, WA.247/18, WA.248/18,
WA.250/18, WA.252/18, 256/18,
251/18, 259/18, WA.272/18,
WA.273/18, WA.274/18

The Chief Educational Officer
Sathuvachari Vellore District

..4th Appellant in WA.236/18

The Chief Educational Officer,
Theni District ..2nd Appellant in WA.237/18

The Head Master, V.M. Government Higher
Secondary School,
Pariyakulam, Theni District 625 601 ..3rd Appellant in WA.237/2018

The Head Master,
Government High School,
C. Pudupatti, Then District ..4th Appellant in WA.259/18
The Chief Educational Officer,
Dharmapuri, Dharmapuri District ..3r Appellant in WA.238/18,
in WA.245/18

The Chief Educationa Officer,
Krishnagiri, Krishnagiri District ..3rd Appellant in
WA.239/18,260/18

The Chief Educational Officer,
Coimbatore, Coimbatore District ..Appellant in WA.240/18,
WA.244/18, WA.249/18, 262/18,
264/18

The Chief Education Officer,
Salem, Salem District ..3rd Appellant in Wa.241/18,
255/18, 256/18, 263/18,
271/18, 273/18

The Chief Education Officer,
Cuddalore District, Cuddalore ..4th Appellant in WA.242/18,
3rd Appellant in WA.248/18

The Chief Educational Officer,
Dindigul, Dindigul District ..3rd Appellant in Wa.243/18,
268/18, 269/18, 270/18

The Chief Education Officer,
Erode District, Erode ..3r Appellant in WA.247/18,
253/18

The Chief Education Officer,
Thiruvannamalai,
Thiruvannamalai District ..3rd Appellant in WA.254/18

The Chief Educational Officer,
Vellore, Vellore District ..2nd Appellant in WA.257/18
3rd Appellant in WA.267/18

The District Educational Officer,
Cuddalore District, Cuddalore ..5th Appellant in WA.242/18,
4th Appellant in WA.258/18

The District Educational Officer,
Panayapuram Post,
Villupuram District

..4th Appellant in WA.246/18

The Assistant Elementary Education Officer,
Aravakurichi Panachayet Union, Aravakurichi
Karur District

..4th Appellant in WA.261/18

The Head Master, Government Girls Higher
Secondary School,

Attur Taluk, Salem District.

..4th Appellant in WA.263/18

The Chief Educational Officer,
Trichy District, Trichy

..3rd Appellant in WA.266/18

The Chief Educational Officer,
Thirvallore, Thiruvallore District

..3rd Appellant in WA.274/18

.. Vs ..

M.DORAIRAJ

.. RESPONDENT in WA No.57 of 2018

1 K. KRISHNAMOORTHY

2 M. KADIRAVAN

.. RESPONDENTS in WA No.236 of 2018

M. MAHARAJ

.. RESPONDENT in WA No.237 of 2018

M.PALANISAMY

.. RESPONDENT in WA No.238 of 2018

M.E.SAMPANGI RAMIAH

.. RESPONDENT in WA No.239 of 2018

R. VELLIANGIRI

.. RESPONDENT in WA No.240 of 2018

A.S.VIJAYALAKSHMI

.. RESPONDENT in WA No.241 of 2018

S. SETHURAMAN

.. RESPONDENT in WA No.242 of 2018

J.GNANAMANAI SUSEELA

.. RESPONDENT in WA No.243 of 2018

M.PERUMAL

.. RESPONDENT in WA No.244 of 2018

T.K. SHANMUGAM

.. RESPONDENT in WA No.245 of 2018

S.SENTHAMARAI KANNAN

.. RESPONDENT in WA No.246 of 2018

P.C. GOVINDARAJAN

.. RESPONDENT in WA No.247 of 2018

1. V.DEVANATHAN

2. K.PERUMAL

3 C.MURUGAVELU

4 N.SIVARAJAN

5 M.RAMALINGAM

6 P.THANA PANDIAN

7 V.PADMANABHAN

8 M.VELLIAH

9 A.PANEER SELVAM

10 K.CHANDRASEKARAN RETD.

11 G.RATHINAM

12 P.SIVARAJ

13 A.GOVINDARAJU

14 V.KANAGA SABAI

15 V.MUTHUKUMARAN

16 P.GANESAN

17 V.MUTHUKUMARASAMY

18 A.VEERASAMY
19 V.VALAYAPATHI
20 T.ARUMUGAM
21 S.RAJENDRAN
22 N.DANAPALAN
23 P.ARJUNAN
24 P.B.SADAGOPAN
25 N.MANICKAM
26 M.SANTHIYAGU
27 G.ANBARASAN
28 T.DEVEPRIYAN
29 J.FLORENCE GNANAMANI
30 C.AVAYAMBAL
31 K.BABY SHANTHA
32 S.JAYARAMAN
33 W.JULIET EBENEZER
34 V.SARASWATHY
35 C.PAPPA
36 C.NAGAPUSHANI
37 R.VASANTHA
38 M.KUPPUSAMY
39 K.PURUSHOTHAMAN
40 P.PATTUSAMY
41 A.MARUDHAVANAN
42 R.SARATHA

43 THE CHIEF EDUCATIONAL OFFICER
SALEM SALEM DISTRICT.

44 THE SECRETARY
S.K. VELAYUTHAM HIGHER SECONDARY SCHOOL
KURINJIPADI CUDDALORE DISTRICT-607 302.

45 THE HEAD MASTER/SECRETARY
GOVT. BOYS HIGHER SECONDARY SCHOOL
PENNADAM- 606105 CUDDALORE DISTRICT.

46 THE SECRETARY
D.G.M. HIGHER SECONDARY SCHOOL
SETHIYATHOPPU CHIDAMBARAM TALUK
CUDDALORE DISTRICT-608702.

47 THE HEAD MASTER
GOVERNMENT HIGHER SECONDARY SCHOOL
KULLANCHAVADI-607 301
CUDDALORE DISTRICT.

48 THE HEAD MASTER
GOVT. HIGH SCHOOL PINNALUR
CHIDAMBARAM TALUK
CUDDALORE DISTRICT-608704.

- 49 THE HEAD MASTER
GOVT. BOYS HIGHER SECONDARY SCHOOL
KURINCHIPADI VILLAGE AND TALUK
CUDDALORE DISTRICT.
- 50 THE HEAD MASTER GOVT. HIGH SCHOOL
KARUPPERI KUNJIMEDU POST
KATTUMANNARKOIL TALUK
CUDDALORE DISTRICT-608301.
- 51 THE SECRETARY
PARVATHA RAJA GURUKULAM HR. SECONDARY SCHOOL
UDAIYARKUDI KATTUMANNARKOIL TALUK
CUDDALORE DISTRICT.
- 52 THE HEAD MASTER
RETIRED SECONDARY GRADE ASSISTANT GOVT.
BOYS HIGHER SECONDARY SCHOOL
KATTUMANNAR KOIL CUDDALORE DISTRICT.
- 53 THE SECRETARY
P.R.G. HIGHER SECONDARY SCHOOL
KATTUMANNARKOIL AND TALUK
CUDDALORE DISTRICT.
- 54 THE HEAD MASTER
GOVT. HIGHER SECONDARY SCHOOL
VANDIPALAYAM CUDDALORE-607 004.
- 55 THE HEAD MASTER
GOVT. GIRLS HIGHER SECONDARY SCHOOL
PENNADAM-603105 CUDDALORE DISTRICT.
- 56 THE HEAD MASTER
GOVT. HIGH SCHOOL KARUPPUR AND POST-608401
KATTUMANNAR KOIL TALUK CUDDALORE DISTRICT.
- 57 THE HEAD MASTER
GOVT. GIRLS HIGHER SECONDARY SCHOOL
KATTUMANNARKOIL CUDDALORE DISTRICT.
- 58 THE HEAD MASTER
GOVT. HIGHER SECONDARY SCHOOL
REDDIYUR-608 304 KATTUMANNARKOIL TALUK
CUDDALORE DISTRICT.
- 59 THE HEAD MASTER
GOVT. HIGHER SECONDARY SCHOOL
KURINJIPADI
CUDDALORE DISTRICT.

- 60 THE HEAD MASTER
VALLALAR GURUKULAM HIGHER SECONDARY SCHOOL
VADALORE-607303 CUDDALORE DISTRICT.
- 61 THE HEAD MASTER
NLC HIGHER SECONDARY SCHOOL MANDARAKUPPAM
NEYVELI-2 CUDDALORE DISTRICT.
- 62 THE HEAD MASTER
GOVT. GIRLS HIGHER SECONDARY SCHOOL
VADALORE-607303 CUDDALORE DISTRICT.
- 63 THE PRINCIPAL
DISTRICT INSTITUTE OF EDUCATION AND TRAINING
VADALORE-607303 CUDDALORE DISTRICT.
- 64 THE HEAD MASTER
GOVT. GIRLS HIGHER SECONDARY SCHOOL
KURINJIPADI-607302 CUDDALORE DISTRICT.
- 65 THE HEAD MASTER
GOVT. HIGH SCHOOL GANGAIKONDAN COLONY
NEYVELI-607802 CUDDALORE DISTRICT.
- 66 THE HEAD MASTER
GOVT. GIRLS HIGHER SECONDARY SCHOOL
VADALORE-607303.
- 67 THE HEAD MASTER
GOVT. HIGHER SECONDARY SCHOOL
SEPLANATHAM CUDDALORE DISTRICT.
- ... RESPONDENTS in WA No.248 of 2018
- P.K.PALANISWAMY .. RESPONDENT in WA No.249 of 2018
- R. CHANDRAN .. RESPONDENT in WA No.250 of 2018
- B.N.B.SEETHAI .. RESPONDENT in WA No.251 of 2018
1. V.PERUMAL
2. V.SELVARAJU
- 3 R.GURUSAMY
- 4 N.SUNDARAM
- 5 T.M.KOTTAI CHADAIYAN
- 6 M.VINCENT
- 7 D.PAUL SIGAMANI
- 8 V.KALAIMANI
- 9 K.KANNAN
- 10 S.NAVANEETHAM
- 11 M.JAGADEESAN
- 12 A.SUNDARAMMAL .. RESPONDENTS in WA No.252 of 2018
- R. SRIDURAI .. RESPONDENT in WA No.253 of 2018
- T.RAGURAMAN .. RESPONDENT in WA No.254 of 2018
- K. KAMALAVENI .. RESPONDENT in WA No.255 of 2018

T.D.HENDRY SAVIER	.. RESPONDENT	in WA No.256 of 2018
N.CHINA GOUNDAN	.. RESPONDENT	in WA No.257 of 2018
K.ARIYAPUTHIRAN	.. RESPONDENT	in WA No.258 of 2018
TMT.S.MUNIAMMAL	.. RESPONDENT	in WA No.259 of 2018
R.JESUDAS DURAIRAJ	.. RESPONDENT	in WA No.260 of 2018

1. M. AROCKIYARAJ
2. R. MALARKODI
3 C. MANGAYARKARASI
4 K. PERIYASAMY
5 R. SARASWATHI
6 A. GANESAN
7 P. PUSHPARANI
8 P. GNANASEKARAN
9 M. CHANDRASEKARAN
10.P.T. MURUGESAN
11.S. YASAPPAN
12.THE MUTHU MUSLIM
13 THE MARUTHA MUSLIM

..RESPONDENTS in WA No.261 of 2018

P.JAYALAKSHMI .. RESPONDENT in WA No.262 of 2018

M.NATHUR SHAH	.. RESPONDENT	in WA No.263 of 2018
S.GOVINDARAJULU	.. RESPONDENT	in WA No.264 of 2018
K.BELLAN	.. RESPONDENT	in WA No.265 of 2018
P. KARUMAN	.. RESPONDENT	in WA No.266 of 2018
P. RAJAMUDALI	.. RESPONDENT	in WA No.267 of 2018
S. MUTHUKRISHNAN	.. RESPONDENT	in WA No.268 of 2018
R.THANGAVELU	.. RESPONDENT	in WA No.269 of 2018
M.MALAIYAPPAN	.. RESPONDENT	in WA No.270 of 2018
K.N.MANGAIYARKARASI	.. RESPONDENT	in WA No.271 of 2018
NIRMALA	.. RESPONDENT	in WA No.272 of 2018
S. DIVYANATHAN	.. RESPONDENT	in WA No.273 of 2018
T.K. MURUGAN	.. RESPONDENT	in WA No.274 of 2018

Prayer in W.A.No.57 of 2018 :- Writ Appeal filed under Clause 15 of the Letters Patent, against the order passed by this Court in W.P.No.19575 of 2012, dated 27.07.2012.

"Filed under Article 226 of the constitution of India to issue a Writ of Certiorariified Mandamus"

WA.57/2018 and 251//2018: against the order passed in dated 27.07.2012; WP.19579/2012: To call for all the relevant records pertaining to the order passed by the 1st respondent herein vide his proceedings Letter No. 39631/M1/2011 dt 4.7.2011and quash the same as illegal arbitrary discriminatory being violative of rules and principles of natural justice and thereby direct the respondents to extent the benefits of G.O.Ms.No.216 Finance (Pay Commission) Department dt 28.3.1993 and accordingly award Selection Grade/Special Grade scale of pay w.e.f. 1.6.1988 and revise pensionary benefits any pay arrears to the petitioner.

W.A.236/2018; against the order passed in WP.16341 of 2012: Directing the respondents to extend the benefit of G.O.Ms.No. 216 Finance (PC) Department dt 22.3.1993 and in the light of the orders of the Honourable Division Bench in W.P.No.8747 of 2009 dt 14.7.2009 affirmed by the Honourable Supreme Court of India in CC. No. 2746/2010 dt 23.4.2010 and accordingly award selection/ special grade scale pay with effect from 1.6.1988 and revision of pensionary benefits and pay arrears immediately to the petitioners.

W.A.237/2018; against the order passed in WP.26648 of 2010: Directing the respondent herein to consider the petitioner request for grant of patta and survey the petitioner land situated at Survey No.116 and 123H at Virugalpatti Village Madathukulam Sub Division Udumalpet Division at the earliest point as may be fixed by this Honourable Court.

W.A.238/2018; against the order passed in WP.8751 of 2012: Directing the 1st respondent herein to consider the petitioners representation dated 16.12.2011 submitting with reference to sending the Jillah Surveyor to survey and fix the boundary stones around the disputed land comprised in Survey No.63/4 to the extent of 0.38 Hectares and in Survey No.69/4 to the extent of 0.18 Hectare and in Survey No.170/2 to the extent of 1.86 Hectare and in Survey No.170/5 to the extent of 1.91 Hectare to the total extent of 4.22 Hectares at Paleguli Village Krishnagiri Taluk & District.

W.A.239 & 240/2018 241/18 243/18, 254/18, 256/2018, 257/18, 268/18, 273/18, against the order passed in WP.10861/12; 17817/12, WP.10878/12, 20017/12, 20914/12, 11050/12, 14929/12, 20049/12, 10880/12: To call for all the relevant records pertaining to the order passed by the 1st respondent herein vide his proceedings No.Letter No.39631/M1/2011 dated 04.07.2011 and quash the same as illegal arbitrary unreasonable being violative of rules and principles of natural justice and thereby direct the respondents to extend the benefits of G.O.Ms.No.216 Finance (PC) Department dated 22.03.1993 and accordingly award Selection/Special Grade scale of pay with effect from 01.06.1988 and revise Pensionary benefits and pay arrears to the petitioner.

W.A.242 OF 2018; against the order passed in WP.31355 of 2012: direction the respondents to extend the benefit of G.O.Ms.No.216 Finance (PC) Department dated 22.3.1993 and G.O.Ms.No. 270 Finance (PC) Department dated 26.8.2010 in the light of the orders of the Honourable Division Bench in W.P.No.8747 of 2009 dated 14.7.2009 confirmed by the Honourable Apex Court in CC.No.2746 of 2010 dated 23.4.2010 immediately to the petitioners;

WA.244/2018, 245/2018, 247/2018,250/2018, 255/2018, 266/2018 against the order passed in WP.Nos.17912/12, 29511/2011, WP.29277/2011, WP.11997/2012, WP.8561/2012, WP.15202/2011: To

call for all the relevant records pertaining to the order passed by the 1st respondent herein vide his proceedings No.Letter No.39631/M1/2011 dated 15.04.2011 and quash the same as illegal arbitrary unreasonable being violative of rules and principles of natural justice and thereby direct the respondents to Extend the benefits of G.O.Ms.No.216 Finance (PC) Department dated 22.03.1993 and accordingly award Selection/Special Grade Scale of Pay with effect from 01.06.1988 and revise Pensionary benefits and pay arrears to the petitioner.

WA.246/2018; against the order passed in WP.10499/2012: To call for the records on the file of the second respondent in connection with the Order passed by her in her proceedings in Letter No. 39631/M1/2011 dated 4.7.2011 and quash the same and direct the respondents to pay the monthly benefits as per the Order passed by the first respondent in G.O.Ms.No.216 Finance (Pay Cell) Department dated 22.3.1993 270 Finance (PC) Department dated 26.8.2010 and also as per the Order of the Honourable Division Bench in W.P.No.17187 of 2003 dated 28.11.2007 confirmed by the Honourable Apex Court in S.L.P.Civil CC.No.2746 of 2010 dated 23.4.2010 forthwith with effect from the date of eligibility for the Selection Grade and the consequential Special Grade with all monetary and services benefits;

WA.249/2018, 262/2018, 264/2012, WA.271/2018 against the order passed in WP.17888 of 2012, WP.17815/12, WP.19879/2012, WP.21062/2012: To call for all the relevant records pertaining to the order passed by the 1st Respondent herein vide his proceedings Letter No. 39631/M1/2011 dated 04.07.2011 and quash the same as illegal arbitrary discriminatory being violative of rules and principles of natural justice and thereby direct the respondents to extend the benefits of G.O.Ms.No.216 Finance (Pay Commission) Department dated 22.03.1993 and accordingly award Selection Grade / Special Grade Scale of pay with effect from 01.06.1988 and revise pensionary benefits and pay arrears to the petitioner;

WA.248/2018, against the order passed in WP.16097 of 2012: To call for all the relevant records pertaining to the order passed by the 1st respondent herein vide his proceedings Letter No. 39631/M1/2011 dt 4.7.2011 and quash the same as illegal arbitrary discriminatory being violative of rules and principles of natural justice and thereby direct the respondents to extent the benefits of G.O.Ms.No.216 Finance (Pay Commission) Department dt 28.3.1993 and accordingly award Selection Grade/Special Grade scale of pay w.e.f. 1.6.1988 and revise pensionary benefits any pay arrears to the petitioner.

WA.253/2018, 260/2018, 269/18, 270/18; against the order passed in WP.No.20451/2012, WP.19639/2012, WP.19429/12, WP.19417/2012: Directing the respondents to extend the benefit of G.O.Ms.No.216 Finance (PC) Department dated 22.3.1993 in the light of the orders of the Honourable Division Bench in

W.P.No.8747 of 2009 dated 14.7.2009 confirmed by the Honourable Supreme Court of India in C.C.No.2746/2010 dated 23.4.2010 and accordingly award Selection/ Special Grade Scale of pay with effect from 1.6.1988 and revision of pensionary benefits and pay arrears immediately to the petitioner;

WA.252/2018, against the order passed in WP.11005/2012: Directing the respondents to extend the benefit of 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/Special Grade scale of pay in the post of Elementary School Headmaster by taking and counting their lower cadre Secondary Grade Assistant service as has been given to 61 similarly placed persons;

WA.258 of 2018; against the order passed in WP.9984 of 2012: To call for the records on the file of the first respondent in connection with the Order passed by her in her proceedings in Letter No. 39631/M1/2011 dated 15.4.2011 and quash the same and direct the respondents to pay the monthly benefits as per the Order passed by the first respondent in G.O.Ms.No.216 Finance (Pay Cell) Department dated 22.3.1993 270 Finance (PC) Department dated 26.8.2010 and also as per the Order of the Honourable Division Bench in W.P.No.17187 of 2003 dated 28.11.2007 confirmed by the Honourable Apex Court in S.L.P. Civil CC.No.2746 of 2010 dated 23.4.2010 forthwith with effect from the date of eligibility for the Selection Grade and the consequential Special Grade with all monetary benefits;

WA.259 of 2018; against the order passed in WP.21137 of 2012: Directing the respondents to implement the G.O.Ms.No.216 Finance (Pay Commission) Department dated 22.03.1993 and G.O.Ms.No.304 Finance (Pay Commission) Department dated 28.03.1990 and fix the petitioners Scale of Pay in Selection Grade and Special Grade in the time Scale of Rs.1640-60-2300-75-2900 and Rs.2000-60-2300-75-3200 respectively with effect from 01.06.1988 and direct the respondents to pay the arrears forthwith with 18% interest and grant arrears of all pensionary benefits;

WA.261/2012; against the order passed in WP.20083 of 2012: Directing the Respondents to fix the pay of the petitioners in Selection Grade / Special Grade in the post of Elementary School Headmaster by taking into account their entire services as Secondary Grade Assistant Teacher and Elementary School Headmaster by extending the benefits of G.O.Ms.No.234 School Education (G2) Department dated 10.09.2009 in favour of the petitioners and pay the arrears with other consequential benefits

WA.263 of 2018; 265/2018, WA.274/18, against the order passed in WP.No.18899 of 2012; WP.11184/12, WP.29478/2011: to call for all the records pertaining to the order passed by the 1st respondent herein vide his proceedings Govt. Letter No.39631/M1/2011 dated 15.4.2011 and quash the same and further direct the respondents

to Extend the benefits of G.O.Ms.No.216 Finance (PC) Department dated 22.3.1993 and accordingly award Special Grade Elementary School Head Master Pay Scale with Effect from 1.6.1988 and revise Pensionary benefits and the consequential pay arrears to the petitioner;

WA.267 of 2018; WP.15211 of 2011: Call for all the relevant records pertaining to the order passed by the 1st respondent herein vide his proceedings No. Letter No. 39631/M1/2011 dt 15.4.2011 and quash the same as illegal arbitrary unreasonable being violative of rules and principles of natural justice and thereby direct the respondents to Extend the benefits of G.O.Ms. No. 216 Finance (PC) Department dt 22.3.1993 and accordingly award Selection/Special Grade scale of pay with effect from 1.6.1988 and revise pensionary benefits and pay arrears to the petitioner;

WA.272 of 2018; against the order passed in WP.11431 of 2012: To call for all the relevant records pertaining to the order passed by the 1st respondent herein vide his proceedings Letter No. 39631/M1/2011 dt 4.7.2011 and quash the same as illegal arbitrary discriminatory being violative of rules and principles of natural justice and thereby direct the respondents to extent the benefits of G.O.Ms.No. 216 Finance (Pay Commission) Department dt 28.3.1993 and accordingly award selection grade/special grade scale of pay with effect from 1.6.1988 and revise pensionary benefits any pay arrears to the petitioner;

For appellants in
W.A.Nos.236 to 245 of 2018: Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

For appellants in
W.A.Nos.246 to 255 of 2018: Mr.R.Prathapkumar,
Additional Government Pleader

For appellants in
W.A.Nos.57 and : Mr.K.Karthikeyan,
256 to 274 of 2018 Government Advocate (Edn.)

For Respondents in
W.A.Nos.241, 251, 267 :
and 268 of 2018 Mr.A.R.Suresh

For Respondents in
W.A.No.246 of 2018 : Ms.S.Srividhya

For Respondents in
W.A.Nos.250 and 264 of 2018 : Mr.A.Bobbli

COMMON JUDGMENT

(Common Judgment of the Court was 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 09.12.2016 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/Higher 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, all these Writ Appeals stand disposed of in terms of the judgment of the Full Bench as mentioned above. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

JRL

To

1. The Secretary,
State of Tamil Nadu
Education Department,
Secretariate, Chennai.
2. The Director of School Education
(Higher Secondary),
College Road,
Chennai-600 006. (DPI Compound)
3. The Chief Educational Officer,
Ootacamund,
The Nilgiris District.

4. The Secretary, State of Tamil Nadu,
Finance (Pay Cell) Department,
Fort St. George, Chennai-9.
5. The District of Elementary Education,
College Road, Chennai-6.
6. The District Elementary Education Officer,
Karur District, Karur.
7. The District Elementary Education Officer,
Thiruvannamalai, Thiruvannamamali District
8. The District Elementary Education Officer,
Kancheepuram, Kancheepuram District.
9. The District Elementary Education Officer,
Salem, Salem District.
10. The Assistant Elementary Education Officer,
Thalaivasal, Salem District
11. The Assistant Elementary Education Officer,
Anakkavoor Panchayat Union Unit,
Anakkavoor, Thiruvannamalai District.
12. The Assistant Elementary Education Officer,
Thurinjapuram, Thiruvannamalai District...3rd
13. The Assistant Elementary Education Officer,
Cheyyar, Thiruvannamalai, District.
14. The Secretary,
School Education Department,
Government of Tamil Nadu, Fort St. George,
Chennai-600 009
15. The Chief Educational Officer
Sathuvachari Vellore District
16. The Chief Educational Officer,
Theni District
17. The Chief Educational Officer,
Dharmapuri, Dharmapuri District
18. The Chief Educationa Officer,
Krishnagiri, Krishnagiri District
19. The Head Master, V.M.
Government Higher Secretary School,
Periyakulam, Theni District.

20. The Head Master, Government High School,
C-PUdupatti, Theni District.

21. The Head Master, Government Girls Higher
Secondary School,
Attur Taluk, Salem District.

22. The Chief Educational Officer,
Coimbatore, Coimbatore District

23. The Chief Education Officer,
Salem, Salem District

24. The Chief Education Officer,
Cuddalore District, Cuddalore

25. The Chief Educational Officer,
Dindigul, Dindigul District

26. The Chief Education Officer,
Erode District, Erode

27. The Chief Education Officer,
Thiruvannamalai,
Thiruvannamalai District

28. The Chief Educational Officer,
Vellore, Vellore District

29. The District Educational Officer,
Cuddalore District, Cuddalore

30. The District Educational Officer,
Panayapuram Post, Villupuram District

31. The Assistant Elementary Education Officer,
Aravakurichi Panachayet Union, Aravakurichi
Karur District

32. The Chief Educational Officer,
Trichy District, Trichy

33. The Chief Educational Officer,
Thirvallore, Thiruvallore District

+ 1 cc to MR.V. Thirupathy, ADvocate Sr.7768
+ 1 cc to the Government Pleader SR.7992 etc.,

W.A.Nos.57 and 236 to 274/2018

AD(CO)
EU(27/04/2018)