

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 22.11.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NO.30762 OF 2018

G.Rajangam

.. Petitioner

- Vs -

1. The State of Tamil Nadu
rep. by its Secretary to Government
School Education Department
Fort St. George, Chennai - 9.
 2. The Director of Elementary Education
Chennai 600 006.
 3. The District Elementary Educational Officer
Cuddalore - 1, Cuddalore Dist.
 4. The Assistant Elementary Educational Officer
Parangipettai at Sambandham
Cuddalore District.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to consider the petitioner's representation in respect to count the entire length of service both in the cadre of Secondary Grade Teacher and Head Master of Elementary School and sanction Selection Grade and Special Grade in the cadre of Headmaster of Elementary School counting the entire length of service as per G.O. Ms. No.179, School Education Department, dated 6.9.13 and confer all consequential benefits.

For Petitioner : Ms. K.Jenitha

For Respondents : Ms. P.Kavitha, GA

ORDER

The present petition has been filed by the petitioner for a direction to the respondents to count the entire length of service, both in the cadre of Secondary Grade Teacher and Head Master of Elementary School and accord sanction of Selection Grade and Special Grade in the cadre of Head Master of Elementary School in terms of G.O. Ms. No.179, School Education

Department, dated 6.9.2013 and confer all other consequential benefits.

2. Learned counsel appearing for the petitioner placed reliance on the judgment of the Division Bench of this Court in Kunchirayuman - Vs - State of T.N. (W.P. (MD) Nos.12792 of 2013, etc. (Batch) - Dated 22.7.2015) and submitted that the representation submitted by the petitioner has to be considered in the light of the above order passed by the Division Bench.

3. Ms. P.Kavitha, learned Government Advocate accepts notice on behalf of the respondents and submits that this Court may direct the respondents to consider the representation in the light of the orders passed by the Division Bench.

4. In the above circumstances, without expressing any opinion on the merits of the issue, this Court is of the view that it would suffice to direct the 3rd respondent to pass orders on the representation submitted by the petitioner within a particular time frame on the basis of the order passed by the Division Bench noted above.

5. In the above circumstances, this writ petition is disposed of directing the petitioner to submit a fresh representation (if not already received by the respondents) within a period of one week from the date of receipt of this order and upon receipt of the said representation, the 3rd respondent shall consider the same and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of the representation. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VIII)

//True copy// सत्यमेव जयते

Sub Assistant Registrar

GLN

To

1. The Secretary to Government
School Education Department
Government of Tamil Nadu
Fort St. George, Chennai - 9.

2. The Director of Elementary Education
Chennai 600 006.

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3. The District Elementary Educational Officer
Cuddalore - 1, Cuddalore Dist.

4. The Assistant Elementary Educational Officer
Parangipettai at Sambandham
Cuddalore District.

+1cc to M/s.K.Jenitha, Advocate SR.No.79648

+1cc to Government Pleader SR.No.80465

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RJI (CO)

GMV (12/12/2018)



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