



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

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WEB COPY

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P(MD).Nos.15149 to 15151 of 2018

S.Irudayamary ... Petitioner in W.P(MD).No.15149 of 2018
S.Sundersingh ... Petitioner in W.P(MD).No.15150 of 2018
John Gunasekarapandian ... Petitioner in W.P(MD).No.15151 of 2018

Vs.

1. 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,
Madurai. ... Respondents 1 to 3 in all writ petitions
4. The Assistant Elementary Educational Officer,
Madurai East, Kamala Nagar,
Madurai - 2. ... Respondent 4 in W.P(MD).Nos.15149
& 15151 of 2018
4. The Assistant Elementary Educational Officer,
Melur,
Madurai. ... Respondent 4 in W.P(MD).Nos.15150 of 2018

PRAYER in all writ petitions: Writ Petitions are filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus directing the respondents to award Selection Grade/Special Grade to the petitioners in the Primary School Headmaster post with effect from the date when it was due and to pay pensionary benefits with arrears of salary and pension fixing petitioners' pay in the Special Grade in the Headmaster post.

**COMMON ORDER**

The petitioners have come forward with these petitions for issuance of Writ of Mandamus directing the respondents to award Selection Grade/Special Grade to the petitioners in the Primary School Headmaster post with effect from the date when it was due and to pay pensionary benefits with arrears of salary and pension fixing petitioners' pay in the Special Grade in the Headmaster post.

2.Mr.M.Murugan, Government Advocate, takes notice for the respondents. By consent of both parties, these writ petitions are disposed of at the admission stage itself.

3.The writ petitioners retired as Primary School Headmasters. The petitioners have given their representations seeking revision of pension by awarding Special Grade in the post of Headmaster. The petitioners would contend that the issue on hand is no longer res integra and that it is covered by full Bench decision of this Court in **Government of Tamil Nadu, rep. by the Secretary, School Education Department, Fort St. George, Chennai - 600 009 and Others Vs. G.Eswaran and Others** reported in (2017) 2 MLJ 257 (FB). The cut off date has been fixed in the Full Bench decision. The first respondent is the authority competent to consider the petitioners' case. It is made clear that this Court has not expressed any opinion on the merits of the matter. The first respondent is directed to consider the petitioner's representation and pass orders one way or the other in accordance with law, within twelve weeks from the date of receipt of a copy of this order.

4.With the above direction these writ petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (Protocol)

/True Copy/

Sub Assistant Registrar (CS-)

To

1. 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,
Madurai.



4. The Assistant Elementary Educational Officer,
Madurai East, Kamala Nagar, Madurai - 2.

5. The Assistant Elementary Educational Officer,
Melur, Madurai.

+ 3 CC TO Mr.V.KANNAN, ADVOCATE IN SR No. 73131

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 73052 TO 73054

TM

TE/SKN-RSK/SAR-4 : 30/07/2018 : 3P/10C

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13.07.2018