



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.17244 of 2013

and

M.P. (MD)No.1 of 2013

N.Subbiah

: Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai-600 009.
2. The Director of School Education,
College Road,
Chennai-600 006.
3. The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.
4. The District Educational Officer,
Thoothukudi,
Thoothukudi District.
5. The Headmistress,
Little Flower High School,
Periyathalai & Post,
Thoothukudi District.

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 19.07.2013 directing the respondents to extend benefit of G.O.Ms.No.258, School Education (M.1) Department, dated 06.09.2010 to the petitioner which was implemented in pursuance of the order dated 14.07.2009 of the Hon'ble Division Bench in W.P.(MD)No.8747 of 2009 and order dated 04.04.2012 in W.P.(MD)No.8740 of 2012 in this Court, within a stipulated period.



For Petitioner : M/S.M.Punitha Deva Kumar
For Respondents 1to4 : Mr.R.Sethuraman,
Special Government Pleader
For Respondent No.5 : Mr.V.John Kennady

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ORDER

The grievance of the Writ Petitioner is that the benefit of G.O.Ms.No.258, School Education (M.1) Department, dated 06.09.2010 has not been extended to the Writ Petitioner.

2.In this regard, the Writ Petitioner has submitted a representation to the first respondent on 19.7.2013. However, the same has not yet been considered. In respect of revision of pay by awarding Selection Grade and Special Grade by counting the service rendered by the Petitioner prior to 1.6.1988, various Government orders were passed and this Court has also passed number of orders. However, the eligibility of a particular employee is to be ascertained with reference to the service records of the employees and based on the relevant Government orders.

3.Thus the Writ Petitioner is directed to submit a fresh representation to the second respondent within a period of three weeks from the date of receipt of a copy of this order and if any such representation is received, the second respondent is directed to consider the same and pass orders on merits and in accordance with law within a period of 12 weeks thereafter.

4.Accordingly, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai-600 009.



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

3. The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.

4. The District Educational Officer,
Thoothukudi,
Thoothukudi District.

+ 1 cc TO M/S.M.Punitha Devakumar , Advocate in SR No. 52052
+ 1 cc TO Mr.V.John Kennady , Advocate in SR No. 51735
+ 1 cc TO The Special Government Pleader in SR No. 52048

vsn

AE/JC/SAR2/12.03.2018/3P/8C

Order made in
W.P. (MD) No.17244 of 2013
Dated:-**27.02.2018**