



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2018

CORAM:

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.964 of 2011
and
M.P.(MD)No.1 of 2011

A.Kaliaperumal

... Petitioner

Vs.

1.The state of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
For St. George, Chennai-600 009.

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

3.The District Elementary Educational Officer,
Pudukottai, Pudukottai District.

4.The Assistant Elementary Educational
Officer, Thirumayam,
Pudukottai District.

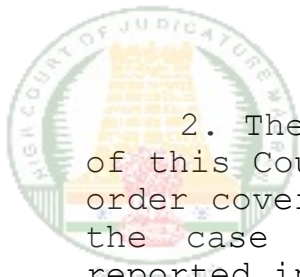
... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents herein to sanction and award forthwith the Special Grade pay to the petitioner in the cadre of Middle School Headmaster w.e.f. 19.07.1993 on par with the similarly placed persons for whom such benefits have been sanctioned under G.O.Ms.No.210 (School Education (G-1) Department) dated 14.08.2009

For Petitioner	: Mr.T.Cibi Chakraborty for M/s.Isaac Chambers
For Respondents	: Mr.V.P.M.Vaishnavi Government Advocate

O R D E R

The relief sought for in this writ petition is for a direction to direct respondents herein to sanction and award forthwith the Special Grade pay to the petitioner in the cadre of Middle School Headmaster w.e.f. 19.07.1993 on par with the similarly placed persons for whom such benefits have been sanctioned under G.O.Ms.No.210 (School Education (G-1) Department) dated 14.08.2009



2. The learned counsel for the petitioner brought to the notice of this Court that the Full Bench of the Madras High Court passed an order covering the issues involved in this present writ petition, in the case of Government of Tamil Nadu v. G.Eswaran and others reported in (2017) 2 MLJ 257 (FB).

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3. The learned Government Advocate appearing for the respondents made a submission that the writ petitioner was employed in a private aided school and not entitled for the benefit of the Government Order discussed in the above judgment. However, these issues are to be considered independently by the respondents with reference to the Government Orders and the judgments in this regard. Accordingly, the second respondent is directed to consider the representations submitted by the writ petitioner on 15.10.2009 and 06.01.2010 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

4. The writ petitioner is directed to enclose the copy of the representations and the Government Orders along with the order passed in this writ petition. Accordingly, this writ petition stands disposed of. No costs. Consequently, M.P.(MD)No.1 of 2011 is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The state of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
For St. George, Chennai-600 009.
- 2.The Director of Elementary Education,
College Road, Chennai-600 006.
- 3.The District Elementary Educational Officer,
Pudukottai, Pudukottai District.
- 4.The Assistant Elementary Educational
Officer, Thirumayam,
Pudukottai District.

+1cc to M/S.T.Cibi Chakraborty, Advocate SR.No. 55028
+1cc to Special Government Pleader, SR.No. 55100

W.P.(MD)No.964 of 2011
12.03.2018