



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD) No.6209 of 2013

and

M.P. (MD) Nos.1 and 2 of 2013

D.Deva Auputha Dora

... 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.

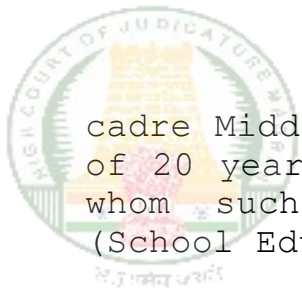
... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceeding issued by the 2nd respondent director of Elementary Education vide Na.Ka.No.21054/E1/2012 dated 11.09.2012, and quash the same and further direct the respondents herein to sanction and award forthwith the selection Grade of Pay in the cadre of Middle School Headmaster w.e.f. 15.09.1992 and Special Grade scale of pay in the cadre Middle School Headmaster from 16.06.1993 (date of completion of 20 years service) 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.Issac 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 call for the records relating to the impugned proceeding issued by the second respondent director of Elementary Education vide Na.Ka.No.21054/E1/2012 dated 11.09.2012, and quash the same and further direct the respondents herein to sanction and award forthwith the selection Grade of Pay in the cadre of Middle School Headmaster w.e.f. 15.09.1992 and Special Grade scale of pay in the



cadre Middle School Headmaster from 16.06.1993 (date of completion of 20 years service) 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)**.

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 07.12.2010 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. 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.

4.Accordingly, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
Department of School Education,
For St. George, Chennai-600 009.

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

+ 1 cc TO Mr.Xavier Rajini , Advocate in SR No. 56803
+ 1 cc TO The Special Government Pleader in SR No. 56949

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AE/SKN RSK/SAR4/03.04.2018/2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

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20.03.2018