

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.Nos.24781 and 24782 of 2009

W.P.No.24781 of 2009

R.Doraisamy

..Petitioner

Vs

1. The State of Tamil Nadu
Rep. by its Secretary
Department of School Education
Fort St. George, Chennai - 600 006.
2. The Director of Elementary Education
College Road, Chennai - 600 006.
3. The District Elementary Educational Officer
Coimbatore, Coimbatore District.
4. The Assistant Elementary
Educational Officer
Pongalur, Tirupur District.

..Respondents

Prayer -Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents herein to sanction and award forthwith Selection Grade and Special Grade to the petitioner in the post of Primary School Headmaster by reckoning and computing the petitioner's service rendered in the cadres of Secondary Grade teacher (19.01.1974 to 12.06.1988) and Primary School Headmaster (from 13.06.1988 onwards).

W.P.No.24782 of 2009

M.Chandran

..Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary
Department of School Education
Fort St. George, Chennai - 600 006.

2. The Director of Elementary Education
College Road, Chennai - 600 006.
3. The District Elementary Educational Officer
Coimbatore, Coimbatore District.
4. The Assistant Elementary
Educational Officer
Octacumund, Nilgris District.

.. Respondents

Prayer -Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents herein to sanction and award forthwith Selection Grade and Special Grade to the petitioner in the post of Primary School Headmaster by reckoning and computing the petitioner's service rendered in the cadres of Secondary Grade teacher (02.10.1973 to 07.06.1988) and Primary School Headmaster (from 08.06.1988 onwards).

For Petitioner : Mr.P.Godson Swaminathan
(in both W.P.'s)

For Respondents : Mr.K.Karthikeyan
(in both W.P.'s) Government Advocate

C O M M O N O R D E R

These Writ Petitions have been filed seeking direction to the respondents herein to sanction and award Selection Grade and Special Grade forthwith to the petitioners in the post of Primary School Headmasters by reckoning and computing the petitioners' service rendered in the cadres of Secondary Grade teacher (02.10.1973 to 07.06.1988) and Primary School Headmaster (from 08.06.1988 onwards) and Secondary Grade teacher (02.10.1973 to 07.06.1988) and Primary School Headmaster (from 08.06.1988 onwards) respectively.

2. When the matters are taken up for hearing, the learned Government Advocate appearing for the respondents produced the copy of the Judgment of the Division Bench of this Court dated 14.03.2018, passed in W.A.Nos.375 to 383 of 2018, stating that when similar prayers were taken up, taking note of the huge delay and laches occurred in moving this Court, the Division Bench of this Court dismissed the Writ Appeals, specifically holding that similar benefits to the similarly placed persons is hit by laches.

3. In reply, the learned counsel appearing for the petitioners produced a copy of the order passed in the Review Application in Rev.Aplc.(MD) No.35 of 2018, dated 19.03.2018

stating that this Court has extended the benefit of the Government Order in G.O.Ms.No.234, Department of School Education (G2) dated 10.09.2009 to the parties, who are before this Court alone and no fresh Writ Petitions would be entertained on and from 09.12.2016.

4. In the light of the Judgment dated 14.03.2018 passed in W.A.Nos.375 to 383 of 2018, wherein the Writ Appeals were dismissed on the ground of huge delay and laches, these Writ Petitions are dismissed. No costs. Consequently, connected Writ Petitions are closed.
arr

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary
State of Tamil Nadu,
Department of School Education
Fort St. George, Chennai - 600 006.
2. The Director of Elementary Education
College Road, Chennai - 600 006.
3. The District Elementary Educational Officer
Coimbatore, Coimbatore District.
4. The Assistant Elementary
Educational Officer
Pongalur, Tirupur District.
5. The Assistant Elementary
Educational Officer
Octacumund, Nilgris District.

+1cc to Mr. Advocate, SR.No.49704/19

+1cc to the Govt.Pleader, Vide Sr.No.41933/19

W.P.Nos.24781 and 24782 of 2009

Kak(26/07/2019)

Kak(21/08/2019)