

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34489 of 2019

and

WMP Nos.35191 and 35196 of 2019

1. T.Ganesan
 2. G.Poongavanam
- ...Petitioners

Vs.

1. The Government of Tamil Nadu represented by the Principal Secretary to Government, School Education Department, Secretariat, Fort St. George, Chennai 600 009.
 2. The Director of Elementary Education, College Road, Nungambakkam, Chennai - 600 006.
 3. The District Educational Officer, Salem, Salem District.
 4. The District Educational Officer, Aathur, Salem District.
 5. The Block Educational Officer, Thalaivasal, Salem District
- ..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned order passed by the third respondent in Na.Ka.No.4126 / A4/2011 dated 30.01.2012 and quash the same and further direct the respondents to grant the benefits of G.O.Ms.No.210, School Education (G1) Department dated 14.08.2009 to the petitioners as has been extended to the similarly placed middle school Head Masters by the Division Benches Judgments of this Hon'ble Court in Batch cases in W.A.Nos.34, 487, 488 of 2017 etc., dated 03.01.2019 and in W.A.Nos.73, 102, 221 of 2016 etc of 2019 and W.P.Nos.5699 of 2012 and W.P.Nos.7605 to 7608 of 2015 and 433 to 435 of 2019 etc dated 26.03.2019 and to fix the pay of the petitioner in the selection grade /special grade in the post of

B.T.Grade Middle School Head Master by counting the services rendered as secondary grade teacher, Elementary school Head Master and Middle School head Master service with effect from the date of their promotion to the post of B.T.Grade Middle School Head Master with all monetary benefits and the pensionary benefits with the accrued arrears thereof and disburse the arrears of salary and pension/Family pension within a time framed by this Court.

For Petitioner : Mr.K.Thennan
For Respondents : Mrs.V.Annalakshmi
Government Advocate for
R1 to R5.

O R D E R

This writ petition has been filed challenging the order passed by the 3rd respondent on 30.01.2012. The present writ petition is filed on the basis that in 2019 in a batch of cases, this Court had passed certain orders and those orders will also enure to the benefit of the petitioner.

2. The petitioner did not chose to challenge the order that was passed in the year 2012. After nearly seven years, the present writ petition is filed by taking advantage of a recent order passed in 2019. Such attitude of the petitioner, cannot be entertained and if the writ petitions are to be admitted based on orders passed after several years, it will open floodgates. The petitioner was more a fence sitter, who waited and watched what was happening in the Court and now wants to take advantage of the order that was passed in the year 2019. Such a writ petition cannot be entertained by this Court and accordingly, this writ petition is dismissed on the ground of laches. No costs. Consequently, the connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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

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

3. The District Educational Officer,
Salem, Salem District.

4. The District Educational Officer,
Aathur, Salem District.

5. The Block Educational Officer,
Thalaivasal, Salem District

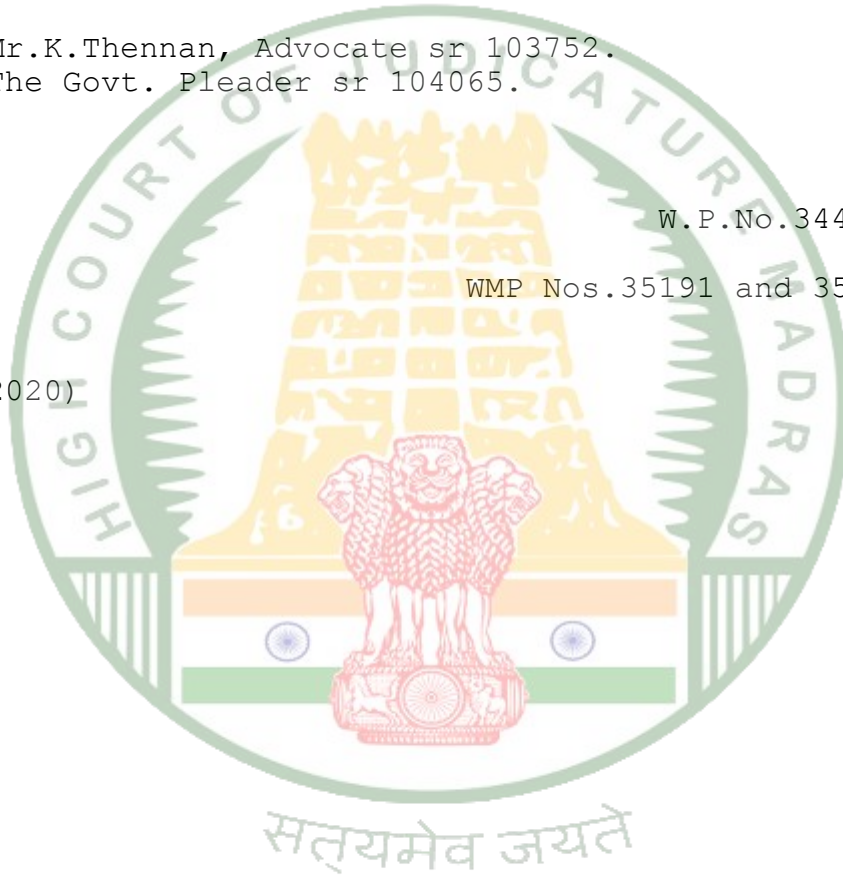
+1 CC to Mr.K.Thennan, Advocate sr 103752.

+1 CC to The Govt. Pleader sr 104065.

W.P.No.34489 of 2019
and

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MP(CO)
SP(29/01/2020)



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