IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.03.2019

CORAM

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

W.P.Nos.28116 & 28107 of 2018
and
W.M.P.Nos.32760 & 32768 of 2018

K.Saravanan ..Petitioner in W.P.No.28116/2018
V.Sampathkumar ..Petitioner in W.P.No.28107/2018

vs

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

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

3.The Chief Educational Officer
Cuddalore, Cuddalore District.

4.The Secretary,
Pachaiyappas Higher Secondary School
Chidambaram-1
Cuddalore.

.. Respondents in both W.Ps

Prayer in W.P.No.28116/2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, Calling for the records of the first respondent pertaining to G.O.Ms.No.194, School Education (Pa.Ka.7-1) Department dated 12.09.2018 and quash the same in so for as it fixes the cut-off date as 06.04.2018 and consequently direct the respondent 1st and 2nd to count 50% of petitioner Part Time Service for the period from 29/07/1987 to 15/10/1992 along with regular service of Vocational teacher as qualifying service for the purpose of calculating the pensionary benefits.

Prayer in W.P.No.28107/2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, Calling for the records of the first respondent pertaining to G.O.Ms.No.194, School Education (Pa.Ka.7-1) Department dated 12.09.2018 and quash the same in so for as it fixes the cut-off date as 06.04.2018 and consequently direct the respondent 1st and 2nd to count 50% of petitioner

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Part Time Service for the period from 01/06/1987 to 05/10/1996 along with regular service of Vocational teacher as qualifying service for the purpose of calculating the pensionary benefits.

For Petitioners : Mr.P.Ganesan(in both W.Ps)
For Respondents : Mr.A.Rajaperumal
Additional Government Pleader
for R1 to R3

C O M M O N O R D E R

The relief sought for in the present writ petitions is to quash the cut off date fixed by the respondent in G.O.Ms.No.194, School Education Department dated 12.09.2018.

2.Without going into the merits of the matter, this Court is of an opinion that the said G.O.Ms.No.194, School Education Department dated 12.09.2018 was issued in implementation of the order of the Hon'ble Division Bench dated 06.04.2018 in W.A.Nos.882, 808 of 2017 etc.,. Thus, the Government order issued in G.O.Ms.No.194, School Education Department dated 12.09.2018 is the implementation of the orders of the Hon'ble Division Bench dated 06.04.2018.

3.Under these circumstances, the present writ petitions, challenging the Government order issued in G.O.Ms.No.194, School Education Department dated 12.09.2018 cannot be entertained.

4.If at all, the writ petitioners are aggrieved from and out of the judgment of the Hon'ble Division Bench, it is left open to the writ petitioners to work out their remedies in the manner known to law.

5.With these observations, both the writ petitions stand dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

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To

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Cuddalore.

+2 Ccs to Mr.P.Ganesan, Advocate sr 30707.

ARJ(CO)
SP(25/04/2019)

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