



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.3913 of 2013

Vasantham

... Petitioner

vs.

1.The District Elementary Educational Officer
Palani Road
Dindigul District

2.The Assistant Elementary Educational Officer
Vadamadurai
Dindigul District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus to call for the records pertaining to impugned order dated 03.01.2011 vide in Na.Ka.No.3801/262/2010 and quash the same as illegal and consequently direct the respondent to issue necessary order to afford selection or special grade benefit to the petitioner.

For Petitioner : Mr.A.Arul Jenifer

For Respondents : Mrs.S.Srimathy

Special Government Pleader

O R D E R

The order of rejection, dated 03.01.2011, passed by the first respondent, rejecting the claim of the writ petitioner for grant of selection grade and special grade by counting the services rendered by her as Secondary Grade Teacher prior to 01.06.1988, is under challenge in the present writ petition.

2. The writ petitioner was initially appointed as Secondary Grade Teacher on 30.04.1978. She was granted selection grade on 01.06.1988 in the post of Secondary Grade Teacher. The writ petitioner was subsequently promoted to the post of Headmistress of Middle School and retired from service on 30.04.2006.

3. The learned counsel for the writ petitioner states that the writ petitioner was promoted as Elementary School Headmistress on 16.06.1998 and thereafter, promoted to the post of Middle School Headmistress and retired from service on 30.04.2006.



4. As far as the Government Order issued in G.O.(Ms) No.202, dated 24.09.2008 is concerned, the Teachers, who were promoted as Elementary School Headmasters prior to 01.06.1988 alone are entitled to claim the benefit of counting of their earlier services rendered in the post of Secondary Grade Teacher prior to 01.06.1988. The condition imposed in the said Government Order is that the Teacher must have been promoted as Elementary School Headmaster prior to 01.06.1988. Then only, the benefit of the said Government Order can be granted.

5. In the present case on hand, the writ petitioner was all along working as a Secondary Grade Teacher till 01.06.1988. After ten years, on 16.06.1998, she was promoted as Elementary School Headmaster and thereafter, as Middle School Headmistress and retired from service on 30.04.2006. This being the factum, the writ petitioner is not falling within the terms and conditions of G.O.(Ms) No.202, dated 24.09.2008 and the reasons stated in the impugned order are in consonance with the terms and conditions imposed in the said Government Order. Thus, there is no infirmity as such in the impugned order of rejection.

6. Accordingly, the writ petition is devoid of merits and stands dismissed. No costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

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To:

1.The District Elementary Educational Officer,
Palani Road, Dindigul District.

2.The Assistant Elementary Educational Officer,
Vadamadurai, Dindigul District.

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.81967

W.P.(MD) No.3913 of 2013
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DKS(CO)

TR (27.08.2019) 2P 4C