



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.[MD]No.1996 of 2015

M.Chandra

: Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
School Education Department,
St. Fort George,
Secretariat, Chennai-9.
2. The Director of Elementary Education,
D.P.I.Campus,
College Road, Chennai-06.
3. The District Elementary Educational Officer,
Ramanathapuram District,
Ramanathapuram.
4. The Assistant Elementary Educational Officer,
Mandapam Panchayat Union, Mandapam,
Ramanathapuram District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents herein be suitably directed to fix the petitioner's pay scale in Selection Grade/Special Grade in the post of Primary School Headmaster by computing the petitioner's entire services rendered as Secondary Grade Assistant Teacher, Primary School Headmaster, by extending the benefits of G.O.Ms.No.234, School Education (G2) Department, dated 10.09.2009 and G.O.Ms.No.179, School Education (D1(2)) Department, dated 06.09.2013 in favour of the petitioner herein along with arrears and other consequential benefits.

For Petitioner

: Mr.S.Yashwanth

For Respondents

: Mrs.S.Srimathy,
Special Government Pleader



O R D E R

Seeking fixation of pay scale in Selection Grade/Special Grade in the post of Primary School Headmaster, by computing the petitioner's entire services rendered as Secondary Grade Assistant Teacher and Primary School Headmaster, by extending the benefits of G.O.Ms.No.234, School Education (G2) Department, dated 10.09.2009 and G.O.Ms.No.179, School Education (D1(2)) Department, dated 06.09.2013 and other consequential benefits, the petitioner has filed the present Writ Petition.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing on behalf of the respondents.

3. The petitioner's representations seeking fixation of pay in Selection Grade/Special Grade in the post of Primary School Headmaster by computing his entire services have not been considered so far and hence, the petitioner is before this Court seeking appropriate directions.

4. The fourth respondent filed a counter-affidavit, wherein at paragraph No.7, it is stated as follows:

"7. It is submitted that the petitioner was one of the eligible candidate under G.O.Ms.No.179, dated 06.09.2013 to receive the Selection Grade/Special Grade. Moreover the petitioner was given a letter dated 15.10.2013 that he was eligible under the category of G.O.Ms.No.179, which is under process."

5. Apparently, it is admitted by the fourth respondent by way of counter-affidavit that the petitioner is entitled to have the benefits of G.O.Ms.No.179, School Education (D1(2)) Department, dated 06.09.2013, to receive the Selection Grade/Special Grade. The said counter also proceeds to say that the case of the petitioner is under process. Despite the same, even after four years, nothing is forthcoming.

6. In such view of the matter, the respondents are directed to fix the petitioner's pay scale, as per the averments made in the counter-affidavit dated 17.03.2015, within a period of two weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-II)



1. The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
St. Fort George,
Secretariat, Chennai-9.
2. The Director of Elementary Education,
D.P.I.Campus,
College Road, Chennai-06.
3. The District Elementary Educational Officer,
Ramanathapuram District,
Ramanathapuram.
4. The Assistant Elementary Educational Officer,
Mandapam Panchayat Union, Mandapam,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-52279[F] dated 07/03/2019)

+1 CC to M/s.VR.SHANMUGANATHAN, Advocate (SR-52336[F] dated 07/03/2019)

SML

DS : 27/03/2019 : 3P/7C

Order made in
W.P.[MD]No.1996 of 2015
Dated: 06.03.2019