



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) No.22512 of 2019

J.Dharmaraj

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Represented by its Secretary,
School Education Department,
Fort St. George, Chennai.

2.The Director of School Education,
College Road, Chennai.

3.The Joint Director of School Education,
College Road, Chennai.

4.The Chief Educational Officer,
Dindigul District, Dindigul.

5.The Correspondent,
Dudley Higher Secondary School, Dindigul,
Dindigul District.

... Respondents

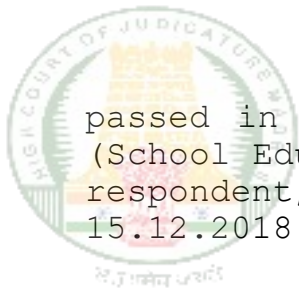
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to fix the petitioner's scale of pay with effect from 26.08.1988 in the post of Vocational Instructor Grade-I, on notional basis and grant monetary benefits from 08.07.2004 in the light of the order passed in W.P.No.32391 of 2015, dated 05.07.2018 and G.O. (2D)No.7, (School Education Department), dated 23.02.2012 passed by the first respondent based on the petitioner's representation dated 15.12.2018.

For Petitioner : Mr.B.Prahalad Ravi

For R1 to R4 : Mr.A.Thiagarajan,
Government Advocate.

ORDER

This Writ Petition is filed to direct the respondents 1 to 4 to fix the petitioner's scale of pay with effect from 26.08.1988 in the post of Vocational Instructor Grade-I, on notional basis and grant monetary benefits from 08.07.2004, in the light of the order



passed in W.P.No.32391 of 2015, dated 05.07.2018 and G.O.(2D)No.7, (School Education Department), dated 23.02.2012, passed by the first respondent, based on the petitioner's representation dated 15.12.2018.

2.Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 to 4 and perused the materials available on record carefully.

3.According to the petitioner, he was appointed as double part time Vocational Instructor in the American College Higher Secondary School at Madurai on 26.08.1988. Subsequently, his services were regularized with effect from 16.10.1992 through the proceedings of the third respondent dated 14.09.2007. He is presently working as Headmaster in the 5th respondent School. The respondents have not given time scale of pay notionally in the cadre of Vocational Instructor Grade-I with effect from the date of original appointment in the said post on 26.08.1988 and granted the scale of pay in the said post only from 16.10.1992 onwards. One similarly placed person, namely, S.Marimuthu has filed W.P.(MD) No.19688 of 2014 before this Court, claiming the fixation of time scale of pay notionally with effect from the date of his initial appointment and consequently, monetary benefits from 08.07.2004 onwards. The said Writ Petition was allowed, by an order dated 25.02.2015, in the light of the Government Order passed by the first respondent in G.O.(2D)No.7, School Education Department, dated 23.02.2012. Subsequently, another similarly placed person, namely, N.Kalaiyarasi has filed W.P.No.32391 of 2015, seeking the same benefit. The Principal Seat of this Court, by its order dated 05.07.2018, has allowed the Writ Petition as prayed for. The petitioner has come out with the present Writ Petition, claiming the same benefit granted to the said S.Marimuthu and N.Kalaiyarasi, in the light of G.O.(2D)No.7, School Education Department, dated 23.02.2012.

4.In view of the orders dated 25.02.2015 and 05.07.2018 made in W.P.(MD)No.19688 of 2014 and W.P.No.32391 of 2015 respectively, the petitioner is entitled to the similar relief granted to the said S.Marimuthu and N.Kalaiyarasi. Accordingly, this Writ Petition is allowed as prayed for. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

Myr

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Secretary to Government of Tamil Nadu,
School Education Department,
Fort St. George, Chennai.

2.The Director of School Education,
College Road, Chennai.

3.The Joint Director of School Education,
College Road, Chennai.

4.The Chief Educational Officer,
Dindigul District, Dindigul.

+1 CC to M/s.GP (SR-95964[F] dated 04/11/2019)

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-96224[F] dated
05/11/2019)

W.P. (MD) No.22512 of 2019
01.11.2019

JMN(12.11.2019) 3P : 7C