



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2019

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P. (MD) No.19817 of 2016

and

W.M.P. (MD) No.14309 and 14310 of 2016

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T.Peppin Appadurai

... Petitioner

/vs./

1.The State of Tamil Nadu,
Represented by the Secretary to State,
Department of School Education,
Secretariat, Fort St.George,
Chennai - 9.

2.The Director of School Education,
College Road, Chennai - 6.

3.The Joint Director of School Education,
College Road, Chennai - 6.

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

5.The Head Master,
Government Higher Secondary School,
Vallioor & Post, Thirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records in the impugned order proceeding No.Oo.Mu.No.12104/A5/15, dated 09.01.2016, passed by the 4th respondent and quash the same and direct the respondent Nos.1 to 4 to grant the continuity of the time scale of pay of the salary received by the petitioner as aided private school teacher, for the present post of Government School teacher also, from 07.12.2010, with all arrears of salary and other benefits pertaining to such granting of pay.

For Petitioner : Mr.C.Dhanaseelan

For R-1 : Mr.M.Jeyakumar

Additional Government Pleader

For R-2 to R-5 : Mr.A.Thiyagarajan
Government Advocate

ORDER

The petitioner herein, who was appointed through Direct Recruitment as 'Physical Education Teacher', has challenged the order rejecting his request to fix his pay as per the last drawn pay in his earlier service as a Physical Education Teacher of an Aided School.



2. I do not find any rule or regulation by which the petitioner can substantiate such a ground that his past service in an Aided School should be taken into account in a Government Post where he was directly recruited.

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3. In the absence of any rule or regulation, the present impugned order cannot be now faulted. Hence, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar(CS)

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To:

- 1.The Secretary to State,
Department of School Education,
Secretariat, Fort St.George, Chennai - 9.
- 2.The Director of School Education,
College Road, Chennai - 6.
- 3.The Joint Director of School Education,
College Road, Chennai - 6.
- 4.The Chief Educational Officer,
Thirunelveli District, Thirunelveli.
- 5.The Head Master,
Government Higher Secondary School,
Vallioor & Post, Thirunelveli District.

+1 CC to M/s.SPL GP (SR-104221[F] dated 10/12/2019)

+1 CC to M/s.M/S.C.DHANASEELAN, Advocate (SR-104313[F]

SM

SMA/26/12/19/2P/8C

Order made in
W.P. (MD) No.19817 of 2016
Dated:09.12.2019