

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.1209 of 2020

A.Gurusamy

.. Petitioner

vs.

1. The Chief Education Officer,
Vellore, Vellore District.
 2. The Head Master,
Government Higher Secondary School,
Nimmiyampattu, Vaniyampadi Taluk,
Vellore District.
- ... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to take appropriate action on the basis of the proceedings of the 2nd respondent in Na.Ka.No.417/2018-2019 dated 05.10.2018 and comply with the orders passed by this Court in WP No.11701 of 2014 dated 04.02.2015.

For Petitioner : Mr.P.Rajendran
For Respondents : Mrs.V.Annalakshmi
Government Advocate

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to pass orders on the basis of the proceedings of the 2nd respondent dated 05.10.2018 and comply with the orders passed by this Court in WP No.11701 of 2014.

2. The case of the petitioner is that he was appointed as a Higher Grade Teacher in the year 1967. He reached the Super grade scale of pay in the year 1999 and ultimately, he retired from service on 31.07.2004.

3. The Government of Tamil Nadu had issued a Government Order in G.O.Ms.No.216 dated 22.03.1993, which provided for teachers being eligible for Selection/Special grade pay. The

writ petitioner along with others had approached this Court and had sought for the relief of extension of the benefits of the above said Government Order, in the light of the Judgment of the Hon'ble Division Bench of this Court. The petitioner had filed WP No.11701 of 2014 in a batch of writ petitions that was dealt with by the Division Bench. The Division Bench after considering the entire matter in detail was pleased to confirm the earlier order passed by the Division Bench, which was also confirmed in the SLP by the Hon'ble Supreme Court and directed the implementation of the Government order.

4. The Government filed a review petition in Rev.P.No.227 of 2015 etc., batch and the same was also dismissed by the Full Bench of this Court by an order dated 09.12.2016.

5. In spite of the above orders passed by this Court and confirmed by the Bench, the petitioner was not extended with the benefits and therefore, the petitioner had issued a legal notice to the respondents. The 1st respondent by his proceedings dated 03.09.2019, informed that the records will be verified and thereafter, appropriate orders will be passed. The petitioner also made a representation dated 25.09.2019 in this regard and since the same did not evoke any response and therefore, the present writ petition has been filed before this Court seeking for appropriate directions.

6. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner is only seeking for a relief, which has already been granted by the Division Bench of this Court and confirmed by the Full Bench in the review petition, there shall be a direction to the 1st respondent to pass necessary orders, in line with the orders passed by this Court and the proceedings of the 2nd respondent dated 05.10.2018, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with proceedings of the 2nd respondent and also a copy of this order.

7. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS VIII)

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Sub Assistant Registrar

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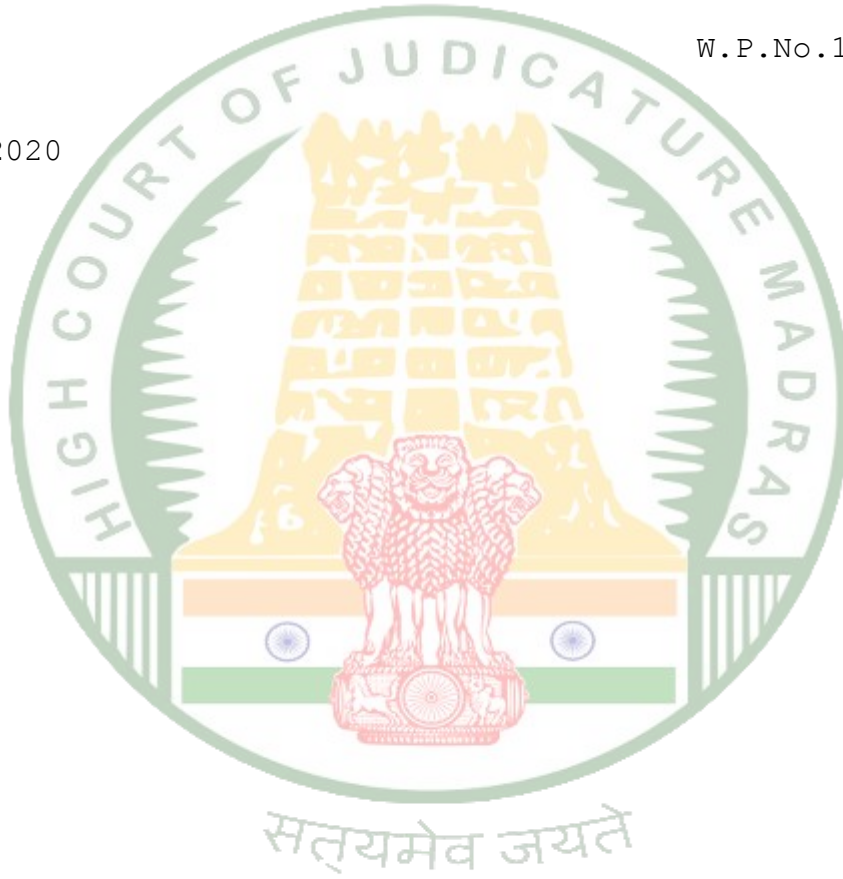
To

1. The Chief Education Officer,
Vellore, Vellore District.
2. The Head Master,
Government Higher Secondary School,
Nimmiyampattu, Vaniyampadi Taluk,
Vellore District.

+1cc to Mr.P.Rajendran, Advocate, S.R.No.4166
+1cc to the Government Pleader, S.R.No.5284

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SSD(CO)
CS/19/03/2020



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