

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. 16651 of 2007
(O.A.No.2566 of 2003)

S.Varadhaperumal @ Ramasamy

...Petitioner

Versus

1. The Chief Educational Officer,
Palayamkottai,
Tirunelveli District.

2. The Director of School Education,
Chennai-600 006.

...Respondents

PRAYER: Originally this petition has been filed as Original Application No.2566 of 2003 before the Tamil Nadu Administrative Tribunal at Chennai and after abolition of TNAT, petition has been transferred and renumbered as W.P.No.16651 of 2007.

Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to award selection grade from 1.10.78 and special grade from 1.10.84 in High School Headmaster Cadre with all attendant benefits in accordance with G.O.Ms.No.1581 Education Department dated 6.11.89 and in accordance with the direction issued by the second respondent in L.Dis.No.39103/C36/2003 dated 20.6.2003.

For Petitioner : No appearance

For Respondents : Mr.P.Raja
Government Advocate

O R D E R

The case of the petitioner is that he was appointed as a School Assistant on 13.04.1963 in Training School, Kuruvikulam. On 1.07.1978, the petitioner was further promoted and appointed as Post Graduate Teacher in Higher Secondary School, Senkottai. On 6.10.1980, the petitioner was promoted as High School Headmaster and posted in Government High School, Uydyangudi, Chengalpet District. On 25.6.1995, the petitioner was promoted as Higher Secondary Head Master and posted in Siruthondanallur, Thoothukudi District. The petitioner attained superannuation on 31.8.1995 and retired from service on 31.5.1996.

2. Originally the petitioner filed Original Application in O.A.No. 2566 of 2003 before the Tamil Nadu Administrative Tribunal at Chennai seeking direction to the first respondent to award selection grade from 1.10.78 and special grade from 1.10.84 in High School Headmaster Cadre with all attendant benefits in accordance with G.O.Ms.No.1581 Education Department dated 6.11.89 and in accordance with the direction issued by the second respondent in L.Dis.No.39103/C36/2003 dated 20.6.2003. After abolition of TNAT, petition has been transferred and renumbered as W.P.No.16651 of 2007.

3. No representation for the petitioner despite sufficient opportunity given.

4. The learned Government Advocate would submit that the petitioner was appointed as School Assistant on 13.04.1963; till 14.04.73 he was working as Assistant and he got Selection Grade only in the year 1973 itself. Further the petitioner promoted as Post Graduate on 01.07.1978 and further promoted as High School Headmaster on 06.10.1980 in Government High School and subsequently he was promoted as Higher Secondary School Headmaster on 25.06.1995. Therefore, he has not completed ten years as Post Graduate Teacher. Therefore, he is not entitled for the Selection Grade for the post of Post Graduate Teachers. Subsequently he was promoted as Headmaster in Higher Secondary School in the year 1995 and he retired on the same year and therefore the petitioner has not completed ten years and he is not entitled for Selection Grade and Special Grade. Therefore, the petitioner already granted Selection Grade for the post of Assistant and also for the High School Headmaster. Since he is not working more than twenty years as the Higher Secondary School Headmaster, he is not eligible for the same. Hence, he seeks to dismiss this Writ Petition.

5. Heard and perused the records available on record.

6. Admittedly, the petitioner was appointed as School Assistant on 13.04.1963 in Training School, Kuruvikulam. On 1.7.1978 the petitioner was further promoted and appointed as Post Graduate Teacher in Higher Secondary School at Senkottai. On 6.10.1980 the petitioner was promoted as High School Headmaster and posted in Government High School, Udyangudi, Chengalpet District. On 25.6.1995 the petitioner was promoted as Higher Secondary Head Master and posted at Siruthondanallur, Thoothukudi District. Thereafter, he attained superannuation on 31.08.1995 and retired from service on 31.05.1996.

7. Considering the facts and circumstances of the case, the petitioner is not entitled for the relief sought for in the Writ

Petition and this Writ Petition is liable to be dismissed.
Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

mpa
To

Sub Assistant Registrar

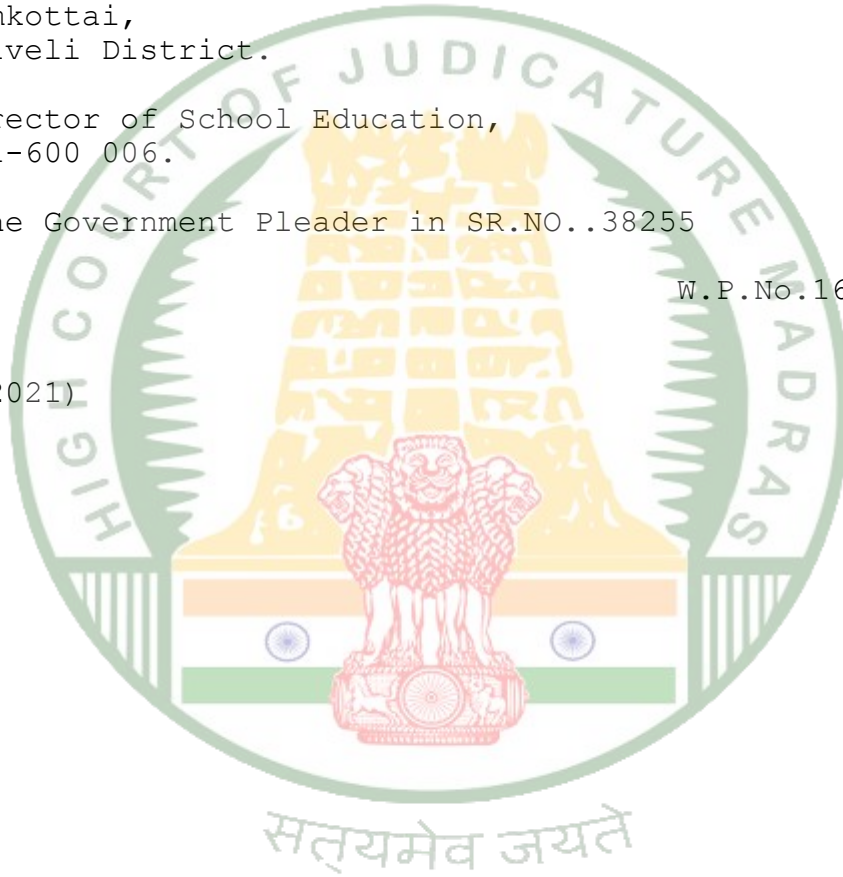
1. The Chief Educational Officer,
Palayamkottai,
Tirunelveli District.

2. The Director of School Education,
Chennai-600 006.

+1cc to the Government Pleader in SR.NO..38255

W.P.No.16651 of 2007

um(CO)
rv(20/01/2021)



WEB COPY