

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2020

CORAM :

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

W.P.No.26237 of 2010

N.Ramasamy

... Petitioner

Versus

1.The Director of School Education,
College Road,
Chennai - 600 006.

2.The District Educational Officer,
Ariyalur.

3.The Chief Educational Officer,
Ariyalur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the order in Na.Ka.No.1438/A3/2009 dated 05.02.2010 and order N.M.No.3772/A3/2009 dated 05.04.2010 on the files of the 3rd and 2nd respondents herein and quash the same and consequently direct the respondents (i) to fix and pay the petitioner's normal increment with effect from 01.04.1981, (ii) to fix and pay Headmaster's scale with effect from 02.04.1981 and (iii) to fix and pay the Selection Grade pay with effect from 20.06.1981.

For Petitioner : Mr. M.Chidambaram

For Respondents : Mr.P.Raja
Government Advocate

O R D E R

The petitioner has come up with this Writ Petition to call for the records pertaining to the order in Na.Ka.No.1438/A3/2009 dated 05.02.2010 and order N.M.No.3772/A3/2009 dated 05.04.2010 on the files of the 3rd and 2nd respondents herein and quash the same and consequently direct the respondents (i) to fix and pay the petitioner's normal increment with effect from 01.04.1981, (ii) to fix and pay Headmaster's scale with effect from

02.04.1981 and (iii) to fix and pay the Selection Grade pay with effect from 20.06.1981.

2. Heard the learned counsel appearing on either side and perused the material documents available on record.

3. The petitioner joined the service on 20.06.1961. He was promoted as Head Master w.e.f. 12.11.1981. As per the revised seniority list he has been regularised as Head Master on 10.10.1980 and completed ten years of service on 10.10.1990. On 31.12.1990 he retired from service under Voluntary Retirement Scheme. He is entitled to get Selection Grade pay in the post of Head Master and consequential pensionary benefits.

4. The learned Government Advocate would submit that the respondents have decided to grant the benefit to the petitioner by taking into account the service rendered by him from 12.11.1981. As per the order of Hon'ble Supreme Court his services will be regularised from 10.10.1980 till the date of his retirement i.e., 31.12.1990. Hence, the Selection Grade and all other attendant benefits will be granted in favour of the petitioner.

5. Recording the said submissions, direction is given to the respondents to fix the Selection Grade of the petitioner in the post of Head Master and calculate consequential monetary benefits and disburse the same within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is allowed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Director of School Education,
College Road,
Chennai - 600 006.

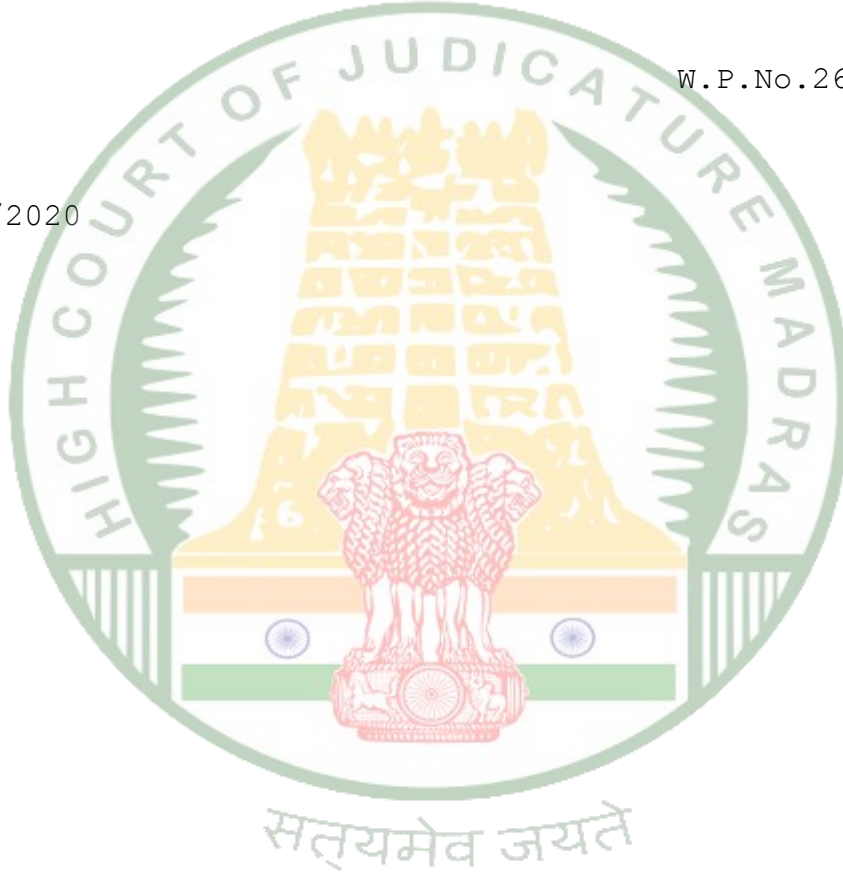
2.The District Educational Officer,
Ariyalur.

3.The Chief Educational Officer,
Ariyalur.

+1cc to Mr.M.Chidambaram, Advocate Sr.17569
+1cc to the Government Pleader Sr.18260

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srg 28/09/2020



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