

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2020

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.P.Nos.8033, 8036, 8035, 8041, 8042, 8038,
8037, 8043, 8039, 8158, 8178, 8183, 8187, 8210,
8216, 8218, 8223, 8231, 8238, 8245, 8250,
8255, 8258, 8259, 8264 and 8268 of 2020
and connected Miscellaneous Petitions

1 R.DELMA ARUL SELVI ... PETITIONER in WP No.8033 of 2020
1 G.NEELA ... PETITIONER in WP No.8036 of 2020
1 M.SINGARAVELAN ... PETITIONER in WP No.8035 of 2020
1 R.KAMARAJ ... PETITIONER in WP No.8041 of 2020
1 A.NEDUNCHEZHIAN ... PETITIONER in WP No.8042 of 2020
1 K.KALIAVANAN ... PETITIONER in WP No.8038 of 2020
1 R.KALAISELVI ... PETITIONER in WP No.8037 of 2020
1 N.A.MALIKA MEHRUN ... PETITIONER in WP No.8043 of 2020
1 R.RAJA SUNDARI ... PETITIONER in WP No.8039 of 2020
1 N.MANGALAM ... PETITIONER in WP No.8158 of 2020
1 D.JOTHI ERAKKINI ISABELLA ... PETITIONER in WP No.8178 of 2020
1 G.AZEEZU NISSA BEGUM ... PETITIONER in WP No.8183 of 2020
1 P.DHARMALINGAM ... PETITIONER in WP No.8187 of 2020
1 K.SAMUNDIAN ... PETITIONER in WP No.8210 of 2020
1 A. PREMKUMAR ... PETITIONER in WP No.8216 of 2020
1 T.THAMILSELVAN ... PETITIONER in WP No.8218 of 2020
1 R.RAJESWARI ... PETITIONER in WP No.8223 of 2020

1 A. VELU ... PETITIONER in WP No.8231 of 2020
1 R. NEDUMARAN ... PETITIONER in WP No.8238 of 2020
1 N. ARI ... PETITIONER in WP No.8245 of 2020
1 C. MANJULA ... PETITIONER in WP No.8250 of 2020
1 RANI ... PETITIONER in WP No.8255 of 2020
1 A. MAHESWARI ... PETITIONER in WP No.8258 of 2020
1 K. ANANDAN ... PETITIONER in WP No.8259 of 2020
1 A. SIVAGAMI ... PETITIONER in WP No.8264 of 2020
1 K. SOLOMAN ... PETITIONER in WP No.8268 of 2020

Vs.

1 THE STATE OF TAMIL NADU
REP. BY ITS CHIEF SECRETARY TO GOVERNMENT
PERSONNEL AND ADMINISTRATIVE REFORMS (S)
DEPARTMENT SECRETARIAT CHENNAI -9.
2 THE STATE OF TAMIL NADU
REP. BY ITS CHIEF SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT SECRETARIAT
CHENNAI -9.
3 THE COMMISSIONER OF SCHOOL
EDUCATION O/O. THE COMMISSIONER OF SCHOOL
EDUCATION DEPARTMENT COLLEGE ROAD CHENNAI-6
4 THE DIRECTOR OF SCHOOL EDUCATION
O/O. THE SCHOOL EDUCATION DEPARTMENT
COLLEGE ROAD CHENNAI- 6 ..Respondents 1 to 4 in all W.Ps
5 THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
SALEM SALEM DISTRICT
...5th Respondent in W.P. 8036/2020
THE CHIEF EDUCATIONAL OFFICER
O/O THE CHIEF EDUCATIONAL OFFICE
THIRUVARUR THIRUVARUR DISTRICT.
..5th Respondent in W.P.No.8035/2020

THE CHIEF EDUCATIONAL OFFICER
O/O THE CHIEF EDUCATIONAL OFFICE
SALEM SALEM DISTRICT ..5th Respondent in W.P.No.8041/2020

THE DISTRICT EDUCATIONAL OFFICER
O/O.THE DISTRICT EDUCATIONAL OFFICE
THIRUVARUR DISTRICT. ..5th Respondent in W.P.No.8042/2020

THE CHIEF EDUCATIONAL OFFICER
O/O THE CHIEF EDUCATIONAL OFFICE
THIRUVARUR THIRUVARUR DISTRICT ..5th Respondent in W.P.No.8038/2020

THE CHIEF EDUCATIONAL OFFICER
O/O.THE CHIEF EDUCATIONAL OFFICE
TIRUPATUR DISTRICT. ..5th Respondent in W.P.No.8037/2020

THE CHIEF EDUCATIONAL OFFICER
O/O THE CHIEF EDUCATIONAL OFFICE
COIMABATORE COIMABATORE DISTRICT. ..5th Respondent in W.P.No.8043/2020

THE CHIEF EDUCATIONAL OFFICER
O/O THE CHIEF EDUCATIONAL OFFICE
CUDDALORE CUDDALORE DISTRICT. ..5th Respondent in W.P.No.8039/2020

THE CHIEF EDUCATIONAL OFFICER
O/O.THE CHIEF EDUCATIONAL OFFICE
ERODE ERODE DISTRICT. ..5th Respondent in W.P.No.8158/2020

THE DISTRICT EDUCATIONAL OFFICER
O/O THE DISTRICT EDUCATIONAL OFFICER
CHENGALPET. ..5th Respondent in W.P.No.8178/2020

THE BLOCK EDUCATIONAL OFFICER
O/O. THE BLOCK EDUCATIONAL OFFICER
ST.THOMAS MOUNT AND CHITLAPAKKAM
CHENGALPET. ..6th Respondent in W.P.No.8178/2020

THE CORRESPONDENT
PENTECOSAL ASSEMBLY MISSION AIDED MIDDLE
SCHOOL PALLAVARAM CHENNAI-600 043. ..7th Respondent in W.P.No.8178/2020

THE DISTRICT EDUCATIONAL OFFICER
O/O THE DISTRICT EDUCATIONAL OFFICE
MAYILADUDURAI DISTRICT ..5th Respondent in W.P.No.8183/2020

THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
SALEM, SALEM DISTRICT ..5th Respondent in W.P.No.8187/2020

THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
ARIYALUR DISTRICT ..5th Respondent in W.P.No.8210/2020

THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
PERAMBALUR PERAMBALUR DISTRICT ..5th Respondent in W.P.No.8216/2020

THE CHIEF EDUCATIONAL OFFICER
O/O THE CHIEF EDUCATIONAL OFFICE
PERAMBALUR PERAMBALUR DISTRICT ..5th Respondent in W.P.No.8218/2020

THE BLOCK EDUCATIONAL OFFICER
O/O. THE BLOCK EDUCATIONAL OFFICE
ERODE ERODE DISTRICT ..5th Respondent in W.P.No.8223/2020

THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
VELLORE VELLORE DISTRICT ..5th Respondent in W.P.No.8231/2020

THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
CHENNAI ..5th Respondent in W.P.No.8238/2020

THE CORRESPONDENT
THE CHINDADRI PET HIGHER SECONDARY SCHOOL
CHINDADRI PET, CHENNAI 2 ..6th Respondent in W.P.No.8238/2020

THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
NILAGIRI DISTRICT. ..5th Respondent in W.P.No.8245/2020

THE CHIEF EDUCATIONAL OFFICER
O/O THE CHIEF EDUCATIONAL OFFICE
VELLORE VELLORE DISTRICT ..5th Respondent in W.P.No.8250/2020

THE DISTRICT EDUCATIONAL OFFICER
O/O THE DISTRICT EDUCATIONAL OFFICE
ARIYALUR DISTRICT ..5th Respondent in W.P.No.8255/2020

THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
COIMBATORE DISTRICT ..5th Respondent in W.P.No.8258/2020

THE DISTRICT ADI DRAVIDAR WELFARE OFFICER
O/O. THE DISTRICT ADI DRAVIDAR WELFARE OFFICE
COLLECTORATE, NAGAPATTINAM
NAGAPATTINAM DISTRICT ..5th Respondent in W.P.No.8259/2020

THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
VELLORE DISTRICT ..5th Respondent in W.P.No.8264/2020

THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
CHENNAI ..5th Respondent in W.P.No.8268/2020

THE CORRESPONDENT
KUMARA RAJA MUTHIAH HIGHER SECONDARY SCHOOL
ADAYAR CHENNAI. ..6th Respondent in W.P.No.8268/2020

Prayer in all W.P.Nos.8033, 8036, 8035, 8041, 8042, 8038, 8037, 8043, 8039, 8158, 8178, 8183, 8187, 8210, 8216, 8218, 8223, 8231, 8238, 8245, 8250, 8255, 8258, 8259, 8264 and 8268 of 2020: Writ Petitions filed under Article 226 of the Constitution of India praying for Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in his proceedings in G.O.Ms.No.51, Personnel and Administrative Reforms (S) Department, dated 07.05.2020 in so far as it restricts to those who are in regular service as on date and due to retire on superannuation from 31.05.2020 and consequential impugned order passed by the 1st respondent in his proceedings in Letter No.11308/S/2020-1 dated 14.05.2020 and quash the same as illegal and consequently to direct the respondents to extend the retirement age of the petitioner from 58 years to 59 years in terms of the G.O.Ms.No.51, Personnel and Administrative Reforms (S) Department, dated 07.05.2020.

For Petitioner : Mr. C.Venkatesh Kumar
for M/s. Ajmal Associates

For Respondents: Mr.Vijay Narayan, Advocate General
Assisted by Mr.R.Vijaykumar
Additional Government Pleader for R1

Mr.Vijay Narayan, Advocate General
Assisted by Mr.E.Manokaran
Spl.Govt.Pleader for Higher Education

Mr. Arvind Pandian,
Additional Advocate General
Assisted by Mr.C.Munusamy,
Special Govt. Pleader for Education

COMMON ORDER

This matter is taken up for hearing through Video-Conferencing.

2. All these Writ Petitions have been filed by Teachers, who had attained the superannuation on the respective dates shown in the Tabular Column:

Writ No.	Petitioner Name of the	Date of Superannuation
8033/2020	R.Delma Arul Selvi	30.04.2020
8036/2020	G.Neela	31.01.2020
8035/2020	M.Singaravelan	30.04.2020
8041/2020	R.Kamaraj	31.03.2020
8042/2020	A. Nedunchezian and 4 others	30.04.2020
8038/2020	K.Kaliavanan	31.03.2020
8037/2020	R.Kalaiselvi	30/04/2020
8043/2020	N.A.Malika Mehrun	30/04/2020
8039/2020	R.Raja Sundari	30/04/2020
8158/2020	N.Mangalam	31/01/2020
8178/2020	D.Jothi Erakkini Isabella	30.04.2020
8183/2020	G. Azeezu Nissa Begum	29.02.2020
8187/2020	P.Dharmalingam	31.01.2020
8210/2020	K.Samundian	30.04.2020
8216/2020	A.Premkumar	30.04.2020
8218/2020	T.Thamilselvam	31.03.2020
8223/2020	R.Rajeswari	31.03.2020
8231/2020	A.Velu	31.03.2020

8238/2020	R.Nedumaran	30.04.2020
8245/2020	N.Ari	31.01.2020
8250/2020	C. Manjula	28.02.2020
8255/2020	Rani	31.03.2020
8258/2020	A.Maheswari	30.04.2020
8259/2020	K.Anandan	30.04.2020
8264/2020	A. Sivagami	30.04.2020
8268/2020	K.Solaman	29.02.2020

Contending that they are also entitled to the benefits of G.O.Ms.No.51 dated 07.05.2020 they seek issuance of a writ of mandamus as aforesaid. It is not in dispute that all the petitioners have attained the age of superannuation prior to the cut off date and have been re-employed in terms of G.O.249 dated 09.02.1959 till the end of the academic year i.e. Up to 31-05-2020.

3. In similar Writ Petitions, viz. WP No.6442 of 2020 batch, the Madurai Bench of this Court, after exhaustive consideration of the law on the entitlement of the petitioners to the benefits of the said Government Order, has held that the petitioners are not entitled to benefits of G.O.Ms.51 dated 07.05.2020. As a result, all the Writ Petitions have been dismissed. The order of the Hon'ble Mr.Justice C.V.Karthikeyan, has also been made available.

4. In view of the same, I do not see any reason to entertain these Writ Petitions. These Writ Petitions are also dismissed accordingly.

5. The directions issued by the Madurai Bench of Madras High Court, with reference to payment of retirement benefits shall also apply to the petitioners herein. No costs. Consequently, the connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. THE CHIEF SECRETARY TO GOVERNMENT,
THE STATE OF TAMIL NADU,
PERSONNEL & ADMINISTRATIVE REFORMS (S) DEPARTMENT,
SECRETARIAT, CHENNAI - 9.
2. THE CHIEF SECRETARY TO GOVERNMENT,
THE STATE OF TAMIL NADU,
SCHOOL EDUCATION DEPARTMENT, SECRETARIAT,
CHENNAI - 9.
3. THE COMMISSIONER OF SCHOOL EDUCATION,
O/O THE COMMISSIONER OF SCHOOL EDUCATION DEPARTMENT
COLLEGE ROAD, CHENNAI - 6.
4. THE DIRECTOR OF SCHOOL EDUCATION,
O/O THE SCHOOL EDUCATION DEPARTMENT,
COLLEGE ROAD, CHENNAI -6.
5. THE BLOCK EDUCATIONAL OFFICER,
O/O THE CHIEF EDUCATIONAL OFFICE,
JOLARPETTAI, VELLORE DISTRICT.
6. THE CHIEF EDUCATIONAL OFFICER
O/O THE CHIEF EDUCATIONAL OFFICE SALEM
SALEM DISTRICT
7. THE CHIEF EDUCATIONAL OFFICER
O/O THE CHIEF EDUCATIONAL OFFICE
THIRUVARUR THIRUVARUR DISTRICT.
8. THE DISTRICT EDUCATIONAL OFFICER
O/O.THE DISTRICT EDUCATIONAL OFFICE
MANNARGUDI THIRUVARUR DISTRICT.
9. THE DISTRICT EDUCATIONAL OFFICER
O/O. THE DISTRICT EDUCATIONAL OFFICE
THIRUVARUR DISTRICT.
10. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
THIRUVARUR THIRUVARUR DISTRICT.
11. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
THIRUPATHUR DISTRICT

12. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
COIMABATORE COIMABATORE DISTRICT.
13. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
CUDDALORE CUDDALORE DISTRICT.
14. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
ERODE ERODE DISTRICT.
15. THE DISTRICT EDUCATIONAL OFFICER
O/O. THE EDUCATIONAL OFFICE
CHENGALPATTU.
16. THE BLOCK EDUCATIONAL OFFICER
O/O. THE BLOCK EDUCATIONAL OFFICE
ST. THOMAS MOUNT @ CHITLAPAKKAM
CHENGLEPUT.
17. THE DISTRICT EDUCATIONAL OFFICER
O/O. THE DISTRICT EDUCATIONAL OFFICE
MAYILADUDURAI DISTRICT.
18. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
SALEM SALEM DISTRICT.
19. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATION OFFICE
ARIYALUR DISTRICT.
20. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATION OFFICE
PERAMBALUR PERAMBALUR DISTRICT.
21. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATION OFFICE
ERODE ERODE DISTRICT.
22. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATION OFFICE
VELLORE VELLORE DISTRICT.
23. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
CHENNAI.

24. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATION OFFICE
NILGIRIS DISTRICT.
25. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATION OFFICE
VELLORE DISTRICT.
26. THE DISTRICT EDUCATIONAL OFFICER
O/O. THE DISTRICT EDUCATIONAL OFFICE
ARIYALUR DISTRICT.
27. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATION OFFICE
COIMBATORE DISTRICT.
28. THE DISTRICT ADI DRAVIDAR WELFARE OFFICER
O/O. THE DISTRICT ADIDRAVIDAR WELFARE OFFICE
COLLECTORATE NAGAPATTINAM
NAGAPATTINAM DISTRICT.
29. THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATION OFFICE
VELLORE DISTRICT.
30. THE BLOCK EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICE
ERODE ERODE DISTRICT.

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and connected Miscellaneous Petitions

SP(25/08/2020)

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