

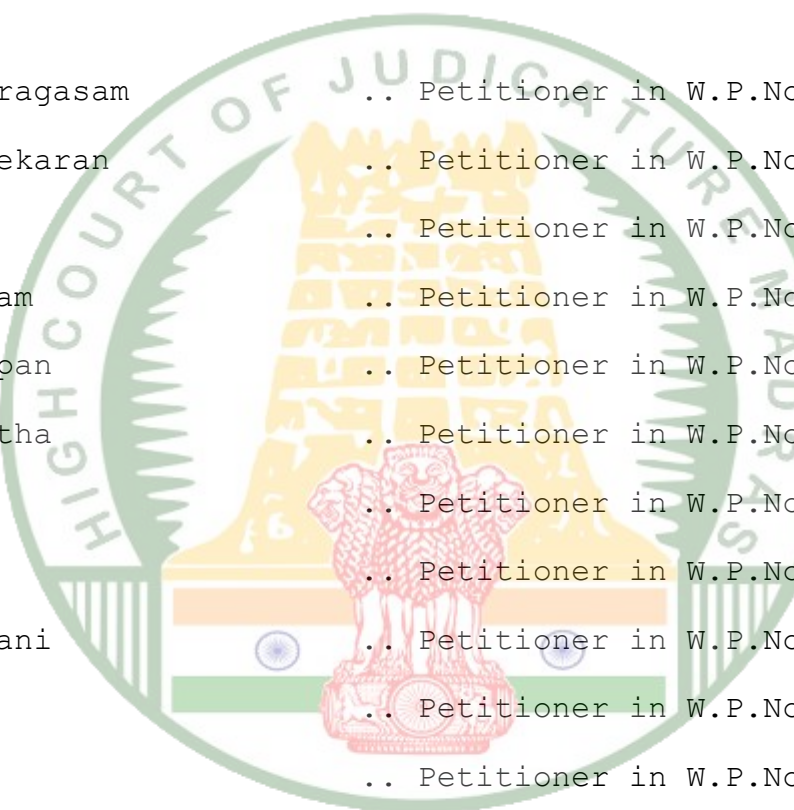
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2020

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.P.Nos.8155, 8159, 8179, 8184, 8188,
8211, 8215, 8220, 8226, 8240, 8247, 8251,
8256, 8261, 8265, 8269 and 8271 of 2020
and connected Miscellaneous Petitions



A.Irundayapragasam .. Petitioner in W.P.No.8155 of 2020
V.Chandrasekaran .. Petitioner in W.P.No.8159 of 2020
R.Sampath .. Petitioner in W.P.No.8179 of 2020
K.S.Rathinam .. Petitioner in W.P.No.8184 of 2020
A.Kanniyappan .. Petitioner in W.P.No.8188 of 2020
N.Pushpalatha .. Petitioner in W.P.No.8211 of 2020
P.Usharani .. Petitioner in W.P.No.8215 of 2020
V.Rajam .. Petitioner in W.P.No.8220 of 2020
C.V.Selvarani .. Petitioner in W.P.No.8226 of 2020
A.Velan .. Petitioner in W.P.No.8240 of 2020
N.Gayathri .. Petitioner in W.P.No.8247 of 2020
S.Kamaraju .. Petitioner in W.P.No.8251 of 2020
Punniyammal .. Petitioner in W.P.No.8256 of 2020
M.Bramanathan .. Petitioner in W.P.No.8261 of 2020
J.Senguttuvan .. Petitioner in W.P.No.8265 of 2020
U.Asha .. Petitioner in W.P.No.8269 of 2020
C.Govindarajan .. Petitioner in W.P.No.8271 of 2020

सत्यमेव जयते

WEB COPY

Vs.

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Raja Muthiah Road,
Kannapar Thidal, Chennai - 600 003.
6. The Deputy Commissioner
O/o the Deputy Commissioner,
Greater Chennai Corporation,
Ripon Building, Raja Muthiah Road,
Kannapar Thidal, Chennai - 600 003.
7. The Educational Officer,
O/o the Educational Office,
Greater Chennai Corporation,
Ripon Building, Raja Muthiah Road,
Kannapar Thidal, Chennai - 600 003.

.. Respondents in WP.No.8155 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The District Educational Officer,
O/o.The District Educational Officer,
Namakkal, Namakkal District.
6. The Block Educational Officer,
O/o.The Block Educational Office,
Puduchatiram Block, Namakkal District.

.. Respondents in WP.No.8159 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Chief Educational Officer,
O/o.The Chief Educational Office,
Namakkal, Namakkal District.

.. Respondents in WP.No.8179 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 8.
5. The Chief Educational Officer,
O/o.The Chief Educational Office,
Chennai.

.. Respondents in WP.No.8184 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Chief Education Officer,
O/o.The Chief Education Office,
Tiruvannamalai, Tiruvannamalai District.

सत्यमेव जयते

... Respondents in WP.No.8188 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Coimbatore, Coimbatore District.

.. Respondents in WP.No.8211 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Chief Educational Officer,
O/o.The Chief Educational Office,
Vellore, Vellore District.

.. Respondents in WP.No.8215 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
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,
Erode, Erode District.

.. Respondents in WP.No.8220 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 8.
5. The Block Educational Officer,
O/o.The Chief Educational Office,
Erode, Erode District.

.. Respondents in WP.No.8226 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Chief Educational Officer,
O/o.The Chief Educational Office,
Vellore, Vellore District.

.. Respondents in WP.No.8240 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The District Educational Officer,
O/o.The District Education Office,
Krishnagiri, Krishnagiri District.
6. The Block Educational Officer,
O/o.The Block Educational Office,
Shoolagiri, Krishnagiri District.

.. Respondents in WP.No.8247 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Higher Education Department, Secretariat,
Chennai-9.

3. The Commissioner of School Education,
O/o the commissioner of School Education,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 8.
5. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Perambalur District.

.. Respondents in WP.No.8251 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Higher Education Department, Secretariat,
Chennai-9.
3. The Commissioner of School Education,
O/o the commissioner of School Education,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Raja Muthiah Road,
Kannappar Thidal, Chennai-600 003.

.. Respondents in WP.No.8256 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Chief Educational Officer,
O/o.The Chief Educational Office,
Cuddalore, Cuddalore Distrit.

.. Respondents in WP.No.8261 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Higher Education Department, Secretariat,
Chennai-9.
3. The Commissioner of School Education,
O/o the commissioner of School Education,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The District Educational Officer,
O/o.The District Education Officer,
Cuddalore, Cuddalore District.
6. The Block Educational Officer,
O/o.The Block Education Officer,
Cuddalore-Block II, Cuddalore District.

.. Respondents in WP.No.8265 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9

2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Chief Educational Officer,
O/o.The Chief Educational Office,
Chennai.
6. The Correspondent,
D.R.B.C.C.C.H.Higher Secondary School,
Thiruvallur, Thiruvallur District.

.. Respondents in WP.No.8269 of 2020

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Secretariat, Chennai - 9
2. The State of Tamil Nadu,
Represented 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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai - 6.
5. The Chief Educational Officer,
O/o.The Chief Educational Office,
Dharmapuri, Dharmapuri District.

.. Respondents in WP.No.8271 of 2020

Common Prayer:

Writ Petition 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 Ajmal Associates

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

Mr.Vijay Narayan, Advocate General
Assisted by Mr.E.Manokaran
Spl.Govt.Pleader for Higher Education
for R2

Mr.Arvind Pandian,
Additional Advocate General
Assisted by Mr.C.Munusamy,
Special Govt.Pleader for Education
for RR3 & 4

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 Petition No.	Name of the Petitioner	Date of Superannuation
8155/2020	A.Irudaya Pragasam	29.02.2020
8159/2020	V.Chandrasekaran	30.04.2020

8179/2020	R.Sampath	30.04.2020
8184/2020	K.S.Rathinam	29.02.2020
8188/2020	A.Kanniyappan	30.04.2020
8211/2020	N.Pushpalatha	30.04.2020
8215/2020	P.Usha Rani	31.03.2020
8220/2020	V.Rajan	30.04.2020
8226/2020	C.V.Selvarani	29.02.2020
8240/2020	A.Velan	30.04.2020
8247/2020	N.Gayathri	31.03.2020
8251/2020	S.Kamaraju	30.04.2020
8256/2020	Punniyammal	30.04.2020
8261/2020	M.Bramanathan	31.03.2020
8265/2020	J.Senguttuvan	30.04.2020
8269/2020	U.Asha	31.03.2020
8271/2020	C.Govindarajan	31.03.2020

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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jv

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,
College Road, Chennai -6.
4. The Director of School Education,
O/o the School Education Department,
College Road, Chennai -6.
5. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Raja Muthiah Road,
Kannapar Thidal, Chennai - 600 003.
6. The Deputy Commissioner
O/o the Deputy Commissioner,
Greater Chennai Corporation,
Ripon Building, Raja Muthiah Road,
Kannapar Thidal, Chennai - 600 003.

7. The Educational Officer,
O/o the Educational Office,
Greater Chennai Corporation,
Ripon Building, Raja Muthiah Road,
Kannapar Thidal, Chennai - 600 003.
8. The Chief Education Officer,
O/o.The chief Education Office,
Tiruvannamalai, Tiruvannamalai District.
9. The chief Educational Officer,
O/o.The Chief Educational Office,
Chennai.
10. The Chief Educational Officer,
O/o.The Chief Educational Office,
Vellore, Vellore District.
11. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Dharmapuri, Dharmapuri District.
12. The Correspondent,
D.R.B.C.C.H.Higher Secondary School,
Thiruvallur, Thiruvallur District.
13. The Chief Educational officer,
O/o.The Chief Educational Office,
Coimbatore, Coimbatore District.
14. The Block Educational Officer,
O/o.The Chief Educational Office,
Erode, Erode District.
15. The District Educational Officer,
O/o.The District Education Office,
Cuddalore, Cuddalore District.
16. The Block Educational Officer,
O/o.The Block Education Office,
Cuddalore, Cuddalore District.
17. The Chief Educational Officer,
O/o.The Chief Educational Office,
Cuddalore, Cuddalore District.

18. The Chief Educational Officer,
O/o.The Chief Educational Office,
Perambalur District.
19. The District Educational Officer,
O/o.The District Education Office,
Krishnagiri, Krishnagiri District.
20. The Block Educational Officer,
O/o.Block Educational Office,
Shoolagiri, Krishnagiri District.
21. The Chief Secretary to Government,
School Education Department,
State of Tamil Nadu,
Secretariat, Chennai.
22. The District Educational Officer,
O/o.The District Educational Office,
Namakkal, Namakkal District.
23. The Block Educational Officer,
O/o.The Block Educational Office,
Puduchatiram Block, Namakkal District
24. The Chief Educational Officer,
O/o.The Chief Educational Office,
Namakkal, Namakkal District.

W.P.Nos.8155, 8159, 8179, 8184, 8188,
8211, 8215, 8220, 8226, 8240, 8247, 8251,
8256, 8261, 8265, 8269 and 8271 of 2020
and connected Miscellaneous Petitions

PVS, VGII, LN (CO)
CS/19.08.2020

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