



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.11.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)Nos.15836, 15840 and 15842 of 2020

G.Jeyabalan	... Petitioner in W.P.(MD)No.15836 of 2020
T.Arul Selvi	... Petitioner in W.P.(MD)No.15840 of 2020
R.Shanthi	... Petitioner in W.P.(MD)No.15842 of 2020

Vs.

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

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

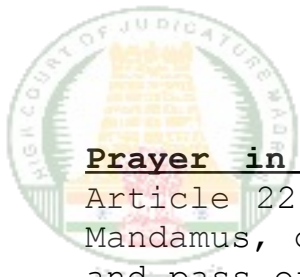
3.The Chief Educational Officer,
Sivagangai District at Sivagangai

4.The District Educational Officer,
Devakottai,
Sivagangai District.

5.The Block Educational Officer
Kalaiyar Kovil Union,
Sivagangai District.

... Respondents in all W.P.s

Prayer in W.P.(MD)No.15836 of 2020: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Director of Elementary Education to consider and pass orders on the representation submitted by the petitioner on 20.2.2020 requesting to place the petitioner under the Old Pension Scheme based on the initial date of appointment of the petitioner as Secondary Grade Teacher on 02.01.2002 in Pope II John Paul Middle School, Ramanathapuram, Ramanathapuram District and his relieving from the school on 18.10.2004 and subsequent joining of the petitioner in the Panchayat Union Primary School, Thirumalaikudi, S.Pudur Union, Sivagangai District on 19.10.2004 i.e., without break in service on par with the similarly placed persons.



Prayer in W.P. (MD)No.15840 of 2020: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Director of Elementary Education to consider and pass orders on the representation submitted by the petitioner on 20.02.2020 requesting to place the petitioner under the Old Pension Scheme based on the initial date of appointment of the petitioner as Secondary Grade Teacher on 11.7.2001 in St.Joseph Primary School, Verkottu, Rameswaram, Ramanathapuram District and her relieving from the school on 18.10.2004 and subsequent joining in the Panchayat Union Primary School, Ilanthakkarai, Kalayar Kovil Union, Sivagangai District on 19.10.2004 i.e., without break in service on par with the similarly placed persons.

Prayer in W.P. (MD)No.15842 of 2020: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Director of Elementary Education to consider and pass orders on the representation submitted by the petitioner on 20.02.2020 requesting to place the petitioner under the Old Pension Scheme based on the initial date of appointment of the petitioner as Secondary Grade Teacher on 4.9.2001 in St.Joseph RC Primary School, Palakurichy, Trichy District and his relieving from the school on 16.11.2004 and subsequent joining of the petitioner in the Panchayat Union Primary School, Vijayapuram, R.S.Mangalam Union, Ramanathapuram District on 17.11.2004 i.e., without break in service on par with the similarly placed persons.

(In all W.Ps)

For Petitioners : Mr.S.Xavier Rajini

For Respondents : Mr.A.Thiyagarajan
Government Advocate

COMMON ORDER

The Writ Petitions are filed seeking a direction to the first respondent to consider and pass orders on the representation submitted by the petitioners on 20.02.2020 requesting to place the petitioners under the Old Pension Scheme based on the initial date of appointment of the petitioners as Secondary Grade Teacher.

2. Heard the learned Counsel appearing for the petitioners and the learned Government Advocate, who takes notice for the respondents.

3. By consent, the Writ Petitions are taken up for final disposal at the stage of admission itself.

4. The case of the petitioners is that they were working as Secondary Grade Teacher in St. Joseph School in different places and



were relieved from the said Schools for the purpose of joining in the Panchayat Union Primary School in different places. Though the petitioners were working from the year 2001 without break in service, they were placed under regular scale of pay only w.e.f. 01.06.2006 as per G.O.(Ms.)No.99, School Education-(Budget-2) Department, dated 27.06.2006. In this regard, the petitioners made several representations to the respondents and finally on 20.02.2020. Since the same have not been considered so far, the present Writ Petitions are filed before this Court.

5. The learned Government Advocate appearing for the respondents submitted that the representation submitted by the petitioners, dated 20.02.2020, would be considered on merits and in accordance with law, within a time frame as fixed by this Court.

6. Considering the nature of the relief as sought for by the petitioners, without going into the merits of the case, the first respondent is directed to consider the representation of the petitioners dated 20.02.2020 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ Petitions stand disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

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Sub Assistant Registrar(CS)

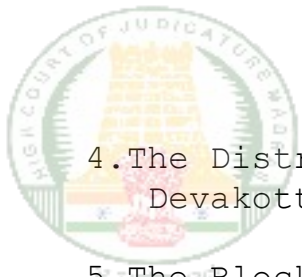
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To

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

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

3.The Chief Educational Officer,
Sivagangai District at Sivagangai



4.The District Educational Officer,
Devakottai, Sivagangai District.

5.The Block Educational Officer
Kalaiyar Kovil Union,
Sivagangai District.

+1 CC to M/s.GP (SR-21906[F] dated 11/11/2020)

+3 CC to M/s.S. XAVIER RAJINI, Advocate (SR-21966 to 21968[F] dated
11/11/2020)

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