



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.11.2020

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THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.16422 of 2020

T.Franco Juliet

...Petitioner

Vs

- 1.The State of Tamilnadu,
represented by its Secretary,
Department of School Education,
Fort.St.George, Chennai 600 009.
- 2.The Director of School Education,
College Road,
Chennai 600 006.
- 3.The Director of Elementary Education,
College Road,
Chennai 600 006.
- 4.The Chief Educational Officer,
Trichy District at
Trichy.
- 5.The District Educational Officer,
Manapparai,
Trichy District.
- 6.The Block Educational Officer,
Manapparai,
Trichy District.
- 7.The Headmaster,
Panchayat Union Middle School,
K.Periyapatti,
Manapparai Union,
Trichy District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to reckon the petitioners service as Secondary Grade teacher from 15.10.2004 to 31.05.2006 for all her service benefits viz., Seniority, Promotion, Selection Grade and Special Grade, etc



including her regular scale of pay w.e.f. 01.06.2006 and disburse all other monetary benefits.

For Petitioner
For Respondents

: Mr.S.Xavier Rajini
: Mr.A.Thiagarajan
Government Advocate

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ORDER

This Writ Petition has been filed to direct the respondents to reckon the petitioner's service as Secondary Grade teacher from 15.10.2004 to 31.05.2006 for all her service benefits, namely, seniority, promotion, selection grade and special grade etc and to disburse all other monetary benefits to her.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, based on the District Employment Exchange seniority, she was selected and joined duty in the Panchayat Union Primary School, Madurabashaniapuram, Madukoor Union, Thanjavur District, on 15.10.2004 under consolidated pay of Rs.3,000/- per month and subsequently, she was placed under regular scale of pay with effect from 01.06.2006, as per G.O.Ms.No.99, School Education (Budget-2) Department, dated 27.06.2006.

4.It is the grievance of the petitioner that though she was appointed as Secondary Grade Teacher on 15.10.2004, the respondents have reckoned her service benefits only with effect from the date on which the petitioner was placed under regular scale of pay, ie., on 01.06.2006.

5.It is the contention of the learned counsel appearing for the petitioner that the petitioner has discharged her duties as Secondary Grade Teacher in the said school from 15.10.2004 to 31.05.2006 in the same workload of regular teacher and the same period has to be reckoned for all her service benefits, namely, seniority, promotion, selection grade and special grade, etc., In this regard, though the petitioner has made representations dated 10.11.2008, 10.08.2009, 15.03.2010, 10.10.2011, 11.02.2013, 17.03.2014, 10.12.2016, 21.03.2017, 12.06.2018 and 05.02.2019 to the respondents requesting them to reckon the petitioner's service period from 15.10.2004 to 31.05.2006 for all her service benefits, so far, no action has been taken. Hence, the present writ petition.

6.Mr.A.Thiagarajan, learned Government Advocate appearing for the respondents would fairly submit that the petitioner's representations dated 10.11.2008, 10.08.2009, 15.03.2010, 10.10.2011, 11.02.2013, 17.03.2014, 10.12.2016, 21.03.2017, 12.06.2018 and 05.02.2019 will be disposed of on merits and in accordance with law, within a period of eight weeks.



7. Taking into consideration of the submission made by the learned Government Advocate and in view of the lapse on the part of the respondents on considering the petitioner's representations, this Court is inclined to pass the following directions:-

the respondents are directed to consider the petitioner's representations dated 10.11.2008, 10.08.2009, 15.03.2010, 10.10.2011, 11.02.2013, 17.03.2014, 10.12.2016, 21.03.2017, 12.06.2018 and 05.02.2019 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order;

8. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Secretary,
Department of School Education,
Fort.St.George, Chennai 600 009.
2. The Director of School Education,
College Road,
Chennai 600 006.
3. The Director of Elementary Education,
College Road,
Chennai 600 006.
4. The Chief Educational Officer,
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5.The District Educational Officer,
Manapparai
Trichy District.

6.The Block Educational Officer,
Manapparai,
Trichy District.

7.The Headmaster,
Panchayat Union Middle School,
K.Periyapatti,
Manapparai Union,
Trichy District.

+1 CC to M/s.S.XAVIER RAJANI, Advocate (SR-22448[F] dated
23/11/2020)

W.P. (MD) No.16422 of 2020
20.11.2020

ss (CO)
TR(15.12.2020) 4P 9C