



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2020

CORAM:

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THE HONOURABLE MR.JUSTICE RMT. TEEKAA RAMAN

WP(MD).No.17561 of 2014 and MP(MD).No.1 of 2014

C. Christober Thangaraj

... Petitioner

Vs.

1.The State of Tamil Nadu
rep. by its Principal Secretary
Finance (CMPC) Department,
Fort. St. George,
Chennai - 600 009.

2. The Director of School Education,
College Road,
Chennai - 06.

3.The Joint Director (Vocational) of School Education,
College Road,
Chennai - 06.

4.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.

5.The Headmaster,
Government Higher Secondary School,
Agastheeswaram - 629 701,
Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari call for the records pertaining to the impugned order in Na.Ka.No.201-3/2014, dated 22.08.2014 on the file of the respondent no.5 and quash the same.

For petitioner : Mr. T. Lajapathi Roy

For R1 to R4 : Mr.S. Shanmugaselvam
Additional Government Pleader



ORDER

This Writ Petition has been filed to quash the impugned order passed by the 5th respondent in Na.Ka.No.201-3/2014, dated 22.08.2014.

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2. Considering the order passed by this Court in a batch of Writ Petitions in W.P(MD).Nos. 2654, 2924 and 2663 of 2018, dated 19.03.2018, the Government passed G.O.Ms.No.306, Finance (CMPC) Department, dated 12.09.2018.

3. In view of the service particulars of the petitioner as stated in Page No.15, he has been granted Selection Grade on 01.01.2006. As per the condition stated in Paragraph No.9 of the above said G.O., the petitioner is found to be eligible. Since the said G.O is covering the relief, this Court is inclined to allow the Writ Petition, by saying that the petitioner is entitled to get the relief as granted in G.O.Ms.No.306, Finance (CMPC) Department, dated 12.09.2018.

4. As per Paragraph No. 9 of the said G.O., arrears of pay and allowances shall be drawn and paid to the individuals with effect from 01.04.2013 as per the orders in force.

5. Accordingly, this Writ Petition is allowed as indicated above. In respect of the recovery proceedings, the matter is remitted back to the respondents to hold a fresh enquiry, if he desires to do so, after furnishing all the particulars to the petitioner. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

trp

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

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Finance (CMPC) Department,
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AP(12/08/2020) 3P 6C