



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.5812 of 2014

and

MP (MD) No.1 of 2014

WEB COPY

A.Muthuraj

... Petitioner

-Vs-

1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education (Elementary),
Fort St. George, Chennai.

2.The Director of Elementary Education,
D.P.I. Complex, College Road,
Chennai-6.

3.The District Elementary Educational Officer,
Kanyakumari.

4.The Assistant Elementary Educational Officer,
Suchindrum, Kanyakumari District.

5.The Accountant General (Pension)
Chennai-16.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the Government order in G.O.Ms.No.179, dated 06.09.2013, quash the same and thereby direct the respondent to consider the service rendered by the petitioner as Secondary Grade Teacher prior to 01.06.1988, to refix my pay, grant all monetary, service, retiral and pension benefits to the petitioner.

For Petitioner

: Mr.M.Senthilkumar

For Respondents

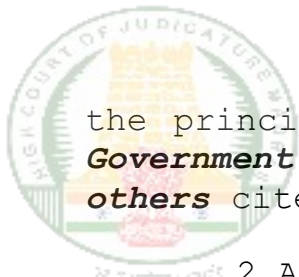
: Mr.J.Gunaseelanmuthiah

Additional Government Pleader
(for R1 to R4)

Mr.P.Gunasekaran (for R5)

ORDER

The learned counsel for the petitioner placed the Hon'ble Full Bench Judgment reported in **(2017) 2 MLJ 257 (FB)** in the case of **Government of Tamil Nadu, Rep. by the Secretary Vs. G.Eswaran and others**, wherein, the Hon'ble Full Bench passed orders fixing a cut off date for entertaining a writ petition. Accordingly, the writ petitions filed prior to 09.12.2016 is considered for grant of benefits in accordance with G.O.Ms.No.216, dated 22.03.1993. The present writ petition was filed on 13.03.2014 and therefore, the case of the writ petitioner is to be considered with reference to



the principles laid down by the Hon'ble Full Bench in the case of **Government of Tamil Nadu, Rep. by the Secretary Vs. G.Eswaran and others** cited *supra*.

2. Accordingly, the respondents are directed to consider the case of the writ petitioner with reference to his service records and if he is otherwise eligible as per the principles laid down by the Hon'ble Full Bench, the said benefits are to be granted as expeditiously as possible and preferably within a period of twelve (12) weeks from the date of receipt of a copy of this order.

3. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

To

1. The Principal Secretary,
Government of Tamil Nadu,
Department of School Education (Elementary),
Fort St. George, Chennai.

2. The Director of Elementary Education,
D.P.I. Complex, College Road,
Chennai-6.

3. The District Elementary Educational Officer,
Kanyakumari.

4. The Assistant Elementary Educational Officer,
Suchindrum, Kanyakumari District.

5. The Accountant General (Pension)
Chennai-16.

+1 CC to M/s.SPL GP (SR-22507[F] dated 23/11/2020)

W.P. (MD) .No.5812 of 2014
20.11.2020

SJ(CO)

KB(03.12.2020) 2P 7C

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