

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.02.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.3501 & 3503 of 2021

(Heard through VC)

Prabhu Kamaraj O.N. .. Petitioner in W.P.No.3501/2021
K.Lakshmipathy .. Petitioner in W.P.No.3503/2021

-vs-

- 1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Secretariat, Chennai.
- 2.The Director of Elementary Education,
Chennai.
- 3.The District Educational Officer,
Thiruthani Educational District,
Thirutani. ...1st to 3 Respondents in all WPs
- 4.The Block Educational Officer-II,
Thiruvallur District. ...4th Respondent in W.P.No.3501/2021
- 4.The Block Educational Officer-I,
Thiruvallur District. ...4th Respondent in W.P.No.3503/2021

Common Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the 4th respondent in his proceedings in Aa.thi.Umu.No.730/a2/2021 dated 04/01/2021 and to quash the same and consequently, direct the respondents to sanction personal pay Rs.750/- notionally with effect from 01.01.2006 and monetary benefits from 01/01/2011 as per G.O.Ms.23 Finance (Pay Cell) Department dated 12.01.2011.

For Petitioner : Mr.R.Rangarajan
in both W.Ps.

For Respondents: Mr.P.Raja
in both W.Ps. Government Advocate

COMMON ORDER

The petitioners have come up with these writ petitions challenging the order passed by the 4th respondent in his proceedings in Aa.thi.Umu.No.730/a2/2021 dated 04.01.2021 and consequently for a direction to the respondents to sanction personal pay Rs.750/- notionally with effect from 01.01.2006 and monetary benefits from 01.01.2011 as per G.O.Ms.23 Finance (Pay Cell) Department dated 12.01.2011.

2. Mr.P.Raja, learned Government Advocate takes notice on behalf of the respondents.

3. By consent of both parties, these writ petitions are taken up for final disposal at the admission stage itself.

4. When the matter is taken up for hearing, it is represented by Mr.P.Raja, learned Government Advocate appearing for the respondents that the issue is covered by the order in W.P.(MD) No.19240 of 2014 dated 02.01.2018. He further submitted that against the said order, Writ Appeal has already been filed and subject to the outcome of the Writ Appeal, the benefit would be extended to the petitioners.

5. In view of the above submission, the impugned order dated 04.01.2021 is set aside in terms of the order dated 02.01.2018 and in case the Writ Appeal filed is allowed, the impugned order will get automatically restored. It is needless to mention that it is open to the petitioners to get themselves impleaded in the Writ Appeal so that later they may not say that an order has been passed without their knowledge. If the petitioners fail to take steps immediately, they may not contend that they are not aware of the proceedings.

6. Accordingly, these writ petitions are Allowed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rsi
To

1.The Secretary to Government,
School Education Department,
Secretariat, Chennai.

2.The Director of Elementary Education,
Chennai.

3.The District Educational Officer,
Thiruthani Educational District,
Thirutani.

4.The Block Educational Officer-II,
Thiruvalangadu Block,
Thiruvallur District.

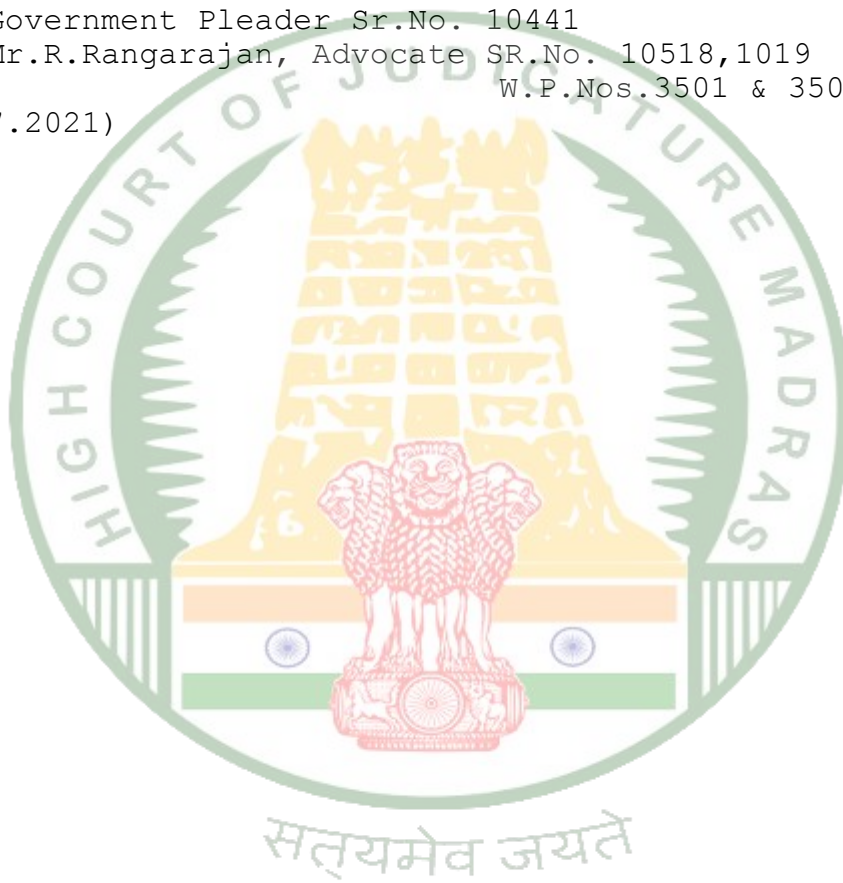
5.The Block Educational Officer-I,
Thiruvalangadu Block,
Thiruvallur District.

+1 cc to Government Pleader Sr.No. 10441

+2ccs to Mr.R.Rangarajan, Advocate SR.No. 10518,1019

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A.SK(05.07.2021)



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