



W.P.No.17477 of 2

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17477 of 2016

M.Jagarayar

... Petitioner

Vs.

1.The State of Tamil Nadu
Represented by its Secretary
Education Department
Fort St. George
Chennai – 9.

2.The Director
The Director of Elementary Education
College Road
Chennai 600 006.

... Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 1st respondent in Letter No.27193/Nee.Va2(2)/2013 date 12.06.2014 and quash the same thereby directing the respondents to pay arrears of difference of Pension along with interest.



W.P.No.17477 of 2

For Petitioner : Mr.V.Paul Panneer Selvam
For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

The order of rejection, rejecting the claim of the writ petitioner for revision of scale of pay in the post of Head Master is under challenge in the present writ petition.

2. The petitioner states that he is a retired Middle School Head Master and retired from service on 31.05.1998.

3. The grievance of the writ petitioner is that he was initially appointed as Elementary School Head Master on 05.07.1961. He was awarded Selection Grade in the post of Head Master in the year 1974 and Special Grade was also granted. He was promoted as Tamil Pandit and retired from service on 31.05.1998.

4. The petitioner states that the Government granted revision of scale of pay to 65 teachers in G.O.Ms.No.210, School Education Department



dated 14.08.2009 and the said benefit of revision of pay is to be granted to him also on par with those 65 teachers.

WEB COPY

5. The petitioner was not in service, when the said Government order issued in G.O.Ms.No.210, School Education Department dated 14.08.2009 was issued. The petitioner retired from service in the year 1998. That apart, the said Government order was passed in respect of 65 Middle School Head Masters, who secured orders from the Tamil Nadu Administrative Tribunal.

6. It is further contended by the learned Special Government Pleader appearing on behalf of the respondents that the petitioner had not worked either as Primary School Head Master or as Middle School Head Master prior to 01.06.1988 and in fact the petitioner was holding the post of Special Grade Secondary Grade Teacher as on 01.06.1988. Thus, the petitioner is not entitled for the concession granted in G.O.Ms.No.210, School Education Department dated 14.08.2009.

7. Beyond all these facts and circumstances, the petitioner was allowed to retire from service on 31.05.1998 and he filed the present writ



W.P.No.17477 of 2

petition in the year 2016, after a lapse of about 18 years from the date of his retirement, seeking revision of pay with reference to the services rendered by him prior to 01.06.1988. Thus, the claim itself is belated and hit by the principles of natural justice.

8. Accordingly, the Writ Petition stands dismissed. No costs.

14.10.2022

Jeni
Index : Yes
Speaking order

To

- 1.The Secretary
The State of Tamil Nadu
Education Department
Fort St. George
Chennai – 9.
- 2.The Director
The Director of Elementary Education
College Road
Chennai 600 006.



WEB COPY



W.P.No.17477 of 2

S.M.SUBRAMANIAM, J.

Jeni

W.P.No.17477 of 2016

14.10.2022