



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WRIT PETITION NO.851 OF 2014

1. Tamil Nadu Higher Secondary School
Headmasters Association,
Registration No.32 of 2013
Having office at
No.318, Syndicate Bank Colony,
Mahendrapuri,
Salem - 636 008.
represented by its President,
R.Ethirajulu S/o.N.E.Ramadoss

2. T.Munusamy
S/o.N.Thimmi Chetty

... Petitioners

Vs.

1. The Principal Secretary to Government,
Personnel & Administrative Reforms Department,
Fort St.George, Chennai - 600 009.
2. The Principal Secretary to Government,
Finance Department,
Fort St.George,
Chennai - 600 009.
3. The Principal Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai - 600 009.
4. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the 1st Respondent



in Government Letter No.23373/S/2011-2 Personnel Administrative Reforms Department dated 09.08.2011 and subsequent clarificatory proceedings issued by the first respondent in Government Letter No.7296/S/2012-1 Personnel and Administrative Reforms Department dated 14.05.2012 and quash the same in so far as not extending the benefit of advancement of Selection Grade/Special Grade in the revised scale of pay for the petitioners, who have reached the Special Grade scale of pay in the feeder post of PG Assistant prior to 01.01.2006 and given promotion to the post of Head Master of Higher Secondary School on or after 01.06.2009 and consequently, direct the respondents to apply the benefits of G.O.Ms.No.210, P&AR Department, dated 11.03.1987 and other related Government letter for advancement of Selection Grade/Special Grade in the revised scale of pay to the petitioners by considering the fact that they have reached Special Grade in the feeder post of PG Assistant prior to 01.01.2006 without reference to the date of promotion, within a time frame to be fixed by this Court.

For Petitioners : Mr.S.Nedunchezhiyan

For Respondents : Mrs.S.Anitha
Special Government Pleader

O R D E R

The writ petition on hand has been instituted by the Tamil Nadu Higher Secondary School Headmasters Association. The relief sought for in the writ petition is to quash the Government letter dated 09.08.2011 and the subsequent clarificatory proceedings dated 14.05.2012 issued by the Personnel and Administrative Reforms Department and direct the respondents to grant advancement of Selection Grade/Special Grade in the revised scale of pay for the petitioners, who have reached the Special Grade scale of pay in the feeder post of PG Assistant prior to 01.01.2006 and given promotion to the post of Head Master of Higher Secondary School on or after 01.06.2009 and consequently, direct the respondents to apply the benefits of G.O.Ms.No.210, P&AR Department, dated 11.03.1987 and other consequential reliefs.

2. The petitioner association stated that they are filing the writ petition to redress the grievance of the members of the association, who have reached the Special Grade scale of pay in the feeder post of PG Assistant prior to 01.01.2006 and got promotion to the post of Headmaster of Higher Secondary School on or after 01.06.2009. The relief relates to grant of Selection Grade/Special Grade in the revised scale of pay, which is to be granted based on the individual facts and circumstances. The



service records of the employees are to be verified and their eligibility in accordance with the rules is also to be ascertained and therefore, a common relief cannot be granted in such a writ petition filed by the association. The association cannot redress the individual grievances. The relief as such sought for in the present writ petition is also wider and such relief can be granted only if the aggrieved persons approached the competent authority and thereafter, the Court of law.

3. In the present writ petition, the reliefs sought for are multiple in nature and hence, verification of service records is warranted for the purpose of considering the reliefs. Therefore, the writ petition filed by the writ petitioners is not entertainable. However, the aggrieved individuals are at liberty to approach the competent authority for redressal of their grievance and thereafter, approach the Court of law in the manner prescribed.

With this liberty, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Principal Secretary to Government,
Personnel & Administrative Reforms Department,
Fort St.George, Chennai - 600 009.
2. The Principal Secretary to Government,
Finance Department,
Fort St.George, Chennai - 600 009.
3. The Principal Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai - 600 009.
4. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

+lcc to the Government Pleader, S.R.No.33642

Writ Petition No.851 of 2014

GPL(CO)
RLP(21/06/2022)