



W.P.No.31321 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.31321 of 2022

C.Antony Dass

... Petitioner

Vs

1.The State of Tamil nadu,
Rep.by its Secretary,
Education (G1) Department,
Fort St. George, Chennai 600 009.

2.The Principal Accountant General (A & E),
Anna Salai, Teynampet,
Chennai - 600 018.

3.The Director of Elementary Education,
DPI Compound, College Road,
Chennai - 600 006.

4.The Chief Educational Officer,
Thiruvannamalai District,
Thiruvannamalai.

5.The District Educational Officer,
Cheyyar,
Thiruvannamalai.

... Respondents



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Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to extend the benefits as per G.O.Ms.No.210 School Education (G1) Department, dated 14.08.2009 and G.O.Ms.No.190, School Education Department dated 12.07.2010 by counting his earlier service in secondary grade category along with present middle school Headmaster post and award the Selection/Special Grade scale of pay with effect from 01.06.1998 onwards including revised pensionary benefits by considering the petitioner representation dated 16.02.2022 and 27.9.2022 in the light of order dated 26.03.2019 passed in W.A.No.73 of 2016.

For Petitioner ... Mr.P.Murali

For Respondents 1, 3 to 5... Mr.S.Yashwanth
Additional Government Pleader

For Respondent 2 ... Mr.V.Vijaya Shankar

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to extend the benefit of G.O.Ms.No.210, School Education Department, dated 11.08.2009 and G.O.Ms.No.190, School Education Department dated 12.07.2010 by counting the petitioner's earlier service in the Secondary Grade category along with the present services in the middle school Headmaster post and award selection/special



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grade scale of pay with effect from 01.06.1988 including revised pensionary benefits.

2. Mr.S.Yashwanth, learned Additional Government Pleader accepts notice on behalf of the respondents 1 & 3 to 5 and Mr.V.Vijayashankar, learned Standing Counsel accepts notice on behalf of the respondent 2. By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.

3. The petitioner has given representations dated 16.02.2022 and 27.09.2022 for the aforementioned purpose. Since the representations have not been considered till date, he has filed this writ petition.

4. Heard Mr.P.Murali, learned counsel for the petitioner, Mr.S.Yashwanth, learned Additional Government Pleader appearing for the respondents 1 & 3 to 5 and Mr.V.Vijayashankar, learned Standing Counsel appearing for the second respondent.



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5. No prejudice would be caused to the respondents, if the petitioner's representations referred to supra are considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the third respondent to pass final orders on merits and in accordance with law on the petitioner's representations dated 16.02.2022 and 27.09.2022 seeking for extension of the benefit of G.O.Ms.No.210, School Education Department, dated 11.08.2009 and G.O.Ms.No.190, School Education Department dated 12.07.2010 by counting the petitioner's earlier service in the Secondary Grade category along with the present services in the middle school Headmaster post and award selection/special grade scale of pay with effect from 01.06.1988 including revised pensionary benefits within a period of twelve weeks from the date of receipt of a copy of this Order. It is for the respondents to decide as to whether G.O.Ms.No.210, School Education Department, dated 11.08.2009 and G.O.Ms.No.190, School Education Department dated 12.07.2010 are applicable to the petitioner's case or not.



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7. With the aforesaid direction, this writ petition is disposed of. No costs.

23.11.2022

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Index: Yes/ No

Speaking Order/Non-speaking Order



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To
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- 2.The Principal Accountant General (A & E),
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Chennai - 600 018.
- 3.The Director of Elementary Education,
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ABDUL QUDDHOSE, J.

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