



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD) .No.3856 of 2022

WEB COPY

P.Thiyagarajan

... Petitioner

Vs.

1.The Principal Secretary,
School Education Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director,
School Education Department,
DPI Complex, College Road,
Chennai-600 006.

3.The Chief Educational Officer,
Thanjavur District, Panagal Building,
Thanjavur 613 001.

4.The District Educational Officer,
Kumbakonam Educational District,
Kamakshi Joshiyar Street,
Thanjavur-612 001

5.The Headmaster,
Anna Government Higher Secondary School,
Patteswaram, Kumbakonam,
Thanjavur-612 703.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd and 5th respondents to consider the petitioner's representation dated 12.01.2002.

For Petitioners : Mr.U.Vinothkumar

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the representation. Consider the representation cannot be granted in a routine manner. The petitioner has to establish the right even for such a relief.



2.The learned counsel for the petitioner states that the petitioner is eligible for selection grade and Special Grade in the post of Physical Education Teacher and the said benefit has not been granted.

3.However, the learned Additional Government Pleader appearing for the respondents made a submission that the Selection Grade and Special Grade is to be considered strictly in accordance with the rules in force. Further, it is contended that the petitioner is not eligible for the same, as he has to give the benefit only in the cadre of Physical Education Teacher and he cannot compare with the benefits of the other teacher. It is further contended that the petitioner acquired higher qualification, without getting appropriate approval of the competent authority.

4.The learned counsel appearing for the petitioner made a submission that the petitioner seeks benefit of Selection Grade and Special Grade. This Court is of the considered opinion that Selection grade is granted only in respect of the stagnated post. If an employee has no promotional avenue, then on completion of 10 years, selection grade is granted and on completion of 20 years, special grade is granted. However, selection grade and special grade are to be granted strictly in accordance with the rules and if the petitioner claiming possession of requisite qualification, applying with the terms and conditions stipulated for grant of selection grade, the case of the petitioner is to be verified with reference to his qualification and eligibility based on his service records. The said exercise is to be done as expeditiously as possible.

5.With these observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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+1 CC to M/s.U.VINOTHKUMAR, Advocate (SR-13341[F] dated
22/03/2022)

+1 CC to M/s.SPL GP (SR-13523[F] dated 22/03/2022)

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