



W.P.No.22527 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 11.04.2023

Coram:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

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- 1.P.Arunachalam
- 2.K.Nanjappan
- 3.A.Raghunathan
- 4.V.P.Rajalakshmi
- 5.P.R.Shanmugam
- 6.P.A.Subramanian
- 7.K.Ramasamy
- 8.K.Krishnan
- 9.V.Duraisamy
- 10.A.Chinnaraj
- 11.S.Lakshmi
- 12.A.Shanmugam
- 13.M.Natarajan
- 14.G.Thangavel Murugaiyan
- 15.T.Thulasimani
- 16.K.Doraisamy

... Petitioners

Vs.

1.The Government of Tamil Nadu
Rep.by Secretary to the Government
School Education Department
Fort St.George
Chennai – 600 009.



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

3.The District Elementary Educational Officer
Erode District
Erode.

4.The Assistant Elementary Educational Officer
Bhavanisagar Panchayat Union
Bhavanisagar
Erode District.

5.The Addl. Assistant Elementary Educational Officer
Bhavanisagar Panchayat Union, Bhavanisagar
Erode District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant Secondary Grade Teacher's scale of pay to the petitioners from the date of appointment as Higher Grade Teachers with the possession of Secondary Grade Teacher's Certificate and to count the service rendered by the petitioners as Higher Grade Teacher with the possession of the Secondary Grade Teacher's Certificate along with the service rendered as Secondary Grade Teacher for the purpose of awarding Selection and Special Grade scale of pay in the post of Secondary Grade Teacher and to grant arrears of pay and arrears of pension.

For Petitioners	:	Mr.R.Saseetharan
For Respondents	:	Mr.J.C.Durairaj Addl. Govt. Pleader



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ORDER

This Writ Petition has been filed by the petitioners, seeking Secondary Grade scale of pay from the date of their initial appointment and to count their service as Higher Grade Teacher, for the purpose of awarding selection grade and special grade scale of pay in the post of Secondary Grade Teacher and to grant arrears of pay.

2.The petitioners were appointed as Higher Grade Teachers before 01.01.1971. They were in possession of Secondary Grade Teachers Certificate and discharging the functions of Secondary Grade Teacher in the post of Higher Grade Teacher.

3.In G.O.Ms.No.347, School Education Department, dated 15.09.1998, the Government of Tamil Nadu directed that the Secondary Grade Teacher's Certificate holders, who were appointed as Higher Grade Teachers are entitled for upgradation as Secondary Grade Teacher with effect from 01.01.1971 or from the date of appointment whichever is later.



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4.The above said benefit has already been extended to the similarly placed persons as that of the petitioners, vide orders made by this Court in W.P.No.38450 of 2006 daetd 05.01.2010, W.P.No.43235 of 2006 dated 03.04.2009 and W.P.No.30488 of 2006 dated 19.06.2008 and the respondents therein were directed to grant Secondary Grade scale of pay to the petitioners therein for the period of service of the petitioners in the Higher Grade place with the Secondary Grade qualification and it be counted as Secondary Grade service for the purpose of seniority, selection/special grade and for promotional opportunities to the higher post.

5.Since the petitioners herein are similarly placed as that of the petitioners in the Writ Petitions decided by this Court (W.P.No.38450 of 2006 dated 05.01.2010, W.P.No.43235 of 2006 dated 03.04.2009 and W.P.No.30488 of 2006 dated 19.06.2008), they are entitled to the relief as such sought for in this Writ Petition. Accordingly, this Writ Petition stands allowed with the following directions:-

(i)the respondents are directed to grant Secondary Grade scale of pay



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J.NISHA BANU, J.,

Jer

4.The Assistant Elementary Educational Officer
Bhavanisagar Panchayat Union
Bhavanisagar
Erode District.

5.The Addl. Assistant Elementary Educational Officer
Bhavanisagar Panchayat Union, Bhavanisagar
Erode District.

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