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WP.No.1879/2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.07.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.1879/2017 & WMP.No.22776/2017

V.Veeramani

... Petitioner

Versus

- 1.The State rep. by its
The Secretary School Education Department
Fort St. George Chennai 600 009
- 2.The Director of School
Education D.P.I. College Road Nungambakkam
Chennai 600 006
- 3.The District Elementary
Educational Officer Thiruvannamalai
District.
- 4.The Additional Assistant
Elementary Educational Officer Chengam
Block Thiruvannamalai District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus to call for the records relating to the proceedings of 4th respondent in Na.Ka.No. 66/A1/2016 Date 11.05.2016 and quash the same and consequently direct



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the respondents to award Secondary Grade Assistant Scale of Pay by counting Petitioners entire Higher Grade Services on par with secondary Grade Scale of pay accordingly pay the revision of pension with all its arrears to the petitioner in the light of G.O.Ms.No.347 School Education Department dated 15.09.1998 and G.O.Ms.No.70 School Education Department dated 28.05.2014.

For Petitioner : Mr. P.Murali

For Respondents : Mr. U.Baranidharan, AGP

ORDER

- (1) The writ petition has been filed in the nature of a certiorarified mandamus seeking records relating to the proceedings of the 4th respondent, Additional Assistant Elementary Educational Officer, Chengam Block at Tiruvannamalai District in Na.Ka.No.66/A1/2016 dated 11.05.2016 and quash the same and direct the respondents to grant Secondary Grade Assistant in the scale of pay by counting the petitioner's entire higher grade services on par with the Secondary grade scale of pay and pay revision of pension with all arrears in the light of G.O.Ms.No.347, School Education Department, dated 15.09.1998 and G.O.Ms.No.70, School Education Department, dated



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28.05.2014.

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- (2) The petitioner, at the time of filing of the writ petition, was aged about 65 years. He was originally appointed as Higher Grade Teacher from 11.08.1970. His services had been regularised in the cadre of Secondary Grade Teacher with effect from 01.01.1971 as per G.O.Ms.No.347, School Education Department, dated 15.09.1998. The petitioner has no grievance about that particular upgradation of his services and regularisation. However, since that regularisation has been granted, he has now turned around and has sought such regularisation from 11.08.1970, the date of his initial appointment till 31.12.1970 which would effectively mean for a period of three months and more.
- (3) It is complained by the respondents in their counter affidavit that this claim has been made by the petitioner nearly after 30 years after the introduction of G.O.Ms.No.347 dated 15.09.1998 and after 10 years after the date of his retirement from service. Probably the petitioner has obtained ideas from some of his colleagues who have benefited. But the petitioner having slept over for 40 years, cannot be now



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granted such privilege that too, for a period of just three months. He should be satisfied with the services he has rendered as teacher and to gain more satisfaction, it would be advisable that he goes over to some Children Home or Senior Citizen Home and educate the children who are there in the Children Home about his experiences and shares his experiences with the senior citizens. That would be more satisfying than initiating a litigation seeking additional pay for three months.

(4) I am not impressed with the reasons stated. Learned Additional Government Pleader has also pointed out the extraordinary delay of the petitioner in putting forth this particular claim. I would concur with that view.

(5) In the result, the writ petition stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

25.07.2023

AP
Internet : Yes

To
1.The Secretary,
State of Tamil Nadu,
School Education Department



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C.V.KARTHIKEYAN, J.,

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