



WEB COPY



W.P.No.12632 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.12632 of 2021

V.Kannan

/vs/

...

Petitioner

1. The Government of Tamil Nadu,
Rep. by its Secretary to Adi Dravidar and
Tribal Welfare Department,
Fort St.George,
Chennai – 600 009.

2. The Director of Adi Dravidar Welfare,
Ezhilagam, Chepauk,
Chennai – 600 005.

3. The District Adi Dravidar and Tribal Welfare Officer,
Perambalur.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to regularise the services of the petitioner as B.T.Teacher from his initial entry in service on 11-5-97 as a Secondary Grade Teachers with continuity of service from that date and to pay the difference of monthly salary from 11-5-97 (initial Entry in service) and 23-7-06 of when petitioner was promoted as B.T.Teacher and pay these salaries, within a reasonable time.



WEB COPY



W.P.No.12632 of 2021

For Petitioner ... Mr.M.Kalyanasundaram
Senior Counsel
For Respondents ... Mr.G.Nanmaran
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to regularise the services of the petitioner as B.T.Teacher from his initial entry in service on 11-05-1997 as a Secondary Grade Teacher with continuity of service from that date and to pay the difference of monthly salary from 11-05-1997 (initial entry in service) to 23-07-2006 (promoted as B.T.Teacher) and pay these salaries, within a reasonable time.

2. The petitioner is a graduate of B.T.Degree Course and through Employment Exchange he was sponsored for the Secondary Grade Teacher in primary school (ADW) in Perambalur District and he was appointed in the said post as per G.O.Ms.63/ADW/dated 01.04.1997. He was subsequently promoted as B.T.Teacher in History by order of the District Welfare Officer (R-3) dated 23.07.2006 and he has been getting salary admissible for B.T.Teacher. The petitioner claims that though he was



W.P.No.12632 of 2021

appointed in the year 1997, considering his B.T.Teacher qualification, his nine years service should be counted as B.T.Teacher and the difference in salary of B.T.Teacher and the salary of the Secondary Grade teacher should be paid to him for the period from 11.05.1997 to 23.07.2006.

3. The learned counsel for the petitioner submitted that the petitioner is eligible to get the said benefit in view of the Government Order G.O.Ms.60-AD & WT dated 07.06.2010 and hence his services between the period from 11.05.1997 to 23.07.2006 should be counted as B.T.Teacher and the difference in salary should also be paid to him. According to the petitioner, the representation given by him has not been considered so far.

4. The learned Special Government Pleader submitted that G.O.Ms.60-AD & WT dated 07.06.2010 is not applicable to the petitioner.

5. In that case, I feel that the respondents should be directed to consider the representation of the petitioner dated 20.05.2016 in the light



W.P.No.12632 of 2021

of the Government Orders which are applicable to the petitioner and pass appropriate orders.

6. Accordingly, this Writ Petition is disposed with a direction to the respondents to consider the petitioner's representation dated 20.05.2016 and dispose the same in the light of the Government Orders which are applicable to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. No costs.

16.10.2023

Index: Yes / No
Speaking order / Non-speaking order
bkn



W.P.No.12632 of 2021

To:

WEB COPY

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Fort St.George,
Chennai – 600 009.
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W.P.No.12632 of 2021

R.N.MANJULA ,J.

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W.P.No.12632 of 2021

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