



W.P.(MD)No.1146 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1146 of 2020

Ramachandran

: Petitioner

Vs.

- 1.The Secretary to Government,
Department of School Education,
St. George Fort,
Chennai - 600 009.
- 2.The Director of Elementary Education,
DPI Compound,
College Road,
Chennai.
- 3.The Chief Educational Officer,
Tirunelveli District.
- 4.The District Educational Officer,
Tenkasi,
Tirunelveli District.
- 5.The Correspondent
St.Antonys Girls Higher Secondary School,
Veerakeralampudur,
Tirunelveli District.

: Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for records relating to the impugned order passed by the 4th respondent in O.Mu.No. 667/Aa1/2019 dated -.5.2019 and quash the same as illegal and consequently direct the 3rd and 4th respondent to confer all service and monetary benefits such as yearly increments, incentives, Earned Leave arrears of salary from the date of initial appointment (ie. 24.02.1998).

For Petitioner : Mr.S.Chellapandian

For Respondents : Mr.S.Saji Bino,
Special Government Pleader

ORDER

This writ petition has been filed to quash the impugned order passed by the 4th respondent in O.Mu.No.667/Aa1/2019 dated -.5.2019 and consequently direct the 3rd and 4th respondent to confer all service and monetary benefits such as yearly increments, incentives, Earned Leave arrears of salary from the date of initial appointment (i.e. 24.02.1998).



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2. The learned counsel for the petitioner submitted that the petitioner was appointed as a Secondary Grade Teacher with higher qualification in the fifth respondent Government aided minority institution. However, his appointment was not approved on the ground that the petitioner was appointed on higher qualification unless the petitioner completed child psychology training in terms of G.O.Ms.No.155, dated 03.10.2002 and thereafter, the petitioner undergone one month child psychology training from 05.12.2005 to 04.01.2006 and after completion of child psychology training, the petitioner appointment was approved on 05.01.2006 and he continuously working in the fifth respondent institution. In the year 2019, the petitioner made an application before the second respondent to grant the benefits from the date of his initial appointment, on 24.02.1998 and the same was rejected vide impugned order, dated -Nil-.05.2019. Challenging the same the present writ petition is filed.

3. The learned counsel for the petitioner submitted that without interfering with the order impugned in this writ petition, this Court may



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grant permission to the petitioner to make a fresh representation with regard to the grant of selection grade on completion of 10 years service.

4. In view of the limited relief sought for by the petitioner in this writ petition and without interfering with the order impugned in this writ petition, this Court grants liberty to the petitioner to make a fresh representation for awarding selection grade on completion of 10 years of qualifying service, within a period of two weeks from the date of receipt of copy of this order and on receipt of the same, the official respondents are is directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of six weeks thereafter.

5. With the above directions, this writ petition is disposed of. No costs.

04.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
RM



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M.DHANDAPANI, J.

RM

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