



W.P.(MD).No.20633 of 2016

**THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 28.02.2023**

**CORAM**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P.(MD).No.20633 of 2016**

**and**

**W.M.P.(MD).Nos.14756 and 14757 of 2016**

Dr.P.Kasturi Rani

... Petitioner

**Vs.**

- 1.The State of Tamil Nadu,  
Represented by its Secretary,  
Department of Higher Education,  
Fort St.George,  
Chennai – 600 009.
- 2.The Director of Collegiate Education,  
College Road, Nungambakkam,  
Chennai – 600 006.
- 3.The Principal,  
Sri Meenakshi Government Arts College,  
For Women (A),  
Madurai – 625 002.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent relating to the impugned order dated 15.06.2016



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passed in Letter No.6259/F1/2015-6, quash the same and consequently direct the first respondent to reckon the past service of 11 years and 4 months rendered by the petitioner as lecturer in Anna Adarsh College for Women, Chennai for pay fixation with consequential benefits, seniority and pension.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.D.Sadiq Raja,  
Additional Government Pleader.

### **ORDER**

This Writ Petition is filed challenging the order passed by the first respondent dated 15.06.2016 with a consequential direction to reckon the past service of 11 years and 4 months rendered by the petitioner as lecturer in Anna Adarsh College for Women, Chennai for pay fixation with consequential benefits, seniority and pension.

2. The claim of the petitioner is to take his past service rendered in Self Finance College namely, Anna Adarsh College for Women, Chennai for a period of 11 years 4 months and grant Career Advancement Scheme benefits. The respondents have rejected the claim of the petitioner by citing G.O.Ms.No. 373 Higher Education Department dated 14.11.2006. The respondents have



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mentioned in the impugned order, since the said Anna Adarsh College is a Self-Finance College, the service rendered in the Self Finance College cannot be taken into account. Only the service rendered in the Government aided College as well as the Government College can be taken into account. However, the contention of the petitioner is that G.O.Ms.No.373 dated 14.11.2006 only refers to the College, it is not qualifying the College as Self Finance College, aided or unaided College. Therefore, an interpretation given by the first respondent is against their own Government Order.

3. However, this Court is not inclined to give any positive direction. Therefore, the case is remitted back to the first respondent to consider the case of the petitioner. If there is no impediment in granting Career Advancement Scheme benefits by taking the said service, the respondents may grant the same, if the petitioner is otherwise eligible. It is made clear that the said 11 years 4 months cannot be taken into account for the pensionary benefits. The petitioner is seeking only for benefits of Career Advancement Scheme alone. Therefore, the respondents shall consider the same and pass order within a period of eight (8) weeks from the date of receipt of a copy of this order.



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4. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**28.02.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
Nsr

To

- 1.The Secretary,  
The State of Tamil Nadu,  
Department of Higher Education,  
Fort St.George,  
Chennai – 600 009.
- 2.The Director of Collegiate Education,  
College Road, Nungambakkam,  
Chennai – 600 006.
- 3.The Principal,  
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**S.SRIMATHY, J.**

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