



W.P.(MD)Nos.8410 to 8415 of 2016

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 09.06.2023**

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos. 8410 to 8415 of 2016

W.P.(MD)No. 8410 of 2016

R.Gnanamani

... Petitioner

Vs.

1. The Government of Tamil Nadu,  
Represented by its Secretary,  
School Education Department,  
Fort Saint George, Secretariat,  
Chennai – 600 009.
2. The Director of Elementary Education,  
D.P.I. Campus, College Road,  
Nungambakkam,  
Chennai – 600 006.
3. The District Elementary Education Officer,  
Madurai District, Madurai.
4. The Assistant Elementary Education Officer,  
Madurai North, Madeira.
5. Veeramamunivar Vidyasala Middle School,  
Represented by its Correspondent,  
No.2A, Kanagavel Colony,  
Madurai – 625 001.

... Respondents



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**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records pertaining to the impugned order passed by the 3<sup>rd</sup> respondent in Na.Ka.No.2073/A5/2014, dated 09.06.2014, quash the same and direct the respondents to award selection Grade to the petitioner in the post of Secondary Grade Teacher by counting his services from 11.02.1998.

**In all the Writ Petitions:**

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.V.Om Prakash  
Government Advocate

**COMMON ORDER**

The writ petitions in W.P.(MD)Nos.**8410** of 2016, W.P.(MD)Nos.**8411** of 2016, W.P.(MD)Nos.**8412** of 2016, W.P.(MD)Nos.**8413** of 2016, W.P.(MD)Nos. **8414** of 2016 and W.P.(MD)Nos.**8415** of 2016 are filed to quash the impugned order with consequential relief to grant Selection Grade by taking the service from the date on which the petitioners were appointed in the post of Secondary Grade Teacher with BT qualification. In the impugned order it has been stated that the petitioners have completed Child Psychology only in the year 2003 and hence the petitioners are not entitled to calculate the service rendered prior to 2003 for the purpose of granting selection grade.



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2. This Court is of the considered opinion that the respondents are absolutely right in declining the same, since these petitioners have completed Child Psychology in the year 2003, hence seeking to count the service which was rendered prior 2003 cannot be entertained. The claim of the petitioners is against the judgment dated 02.04.2004 rendered in State VS Pallivasal Primary School represented by its Correspondent reported in 2004 2 Law Weekly 591. In the Pallivasal case the G.O. Ms. 155 School Education (D2) Department dated 03.10.2002 was upheld, wherein the said G.O. declines to calculate the service rendered prior to 2003. Even though there are some judgments directing to calculate the said service, subsequently the issue is settled in the judgment dated 21.03.2018 rendered by the Hon'ble Division Bench in W.A.(MD)Nos.74 of 2015 and 957 of 2016 in the case of the Director of Elementary Education Vs. Sundaravel Raj, wherein this Court has held that the petitioners who have completed child psychology in the year 2003 are entitled to all benefits from 2003 only. The prior service cannot be considered since the said teachers are not having requisite qualification.



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3. Since the issue involved in these Writ Petitions are one and the same, all the writ petitions are taken up together and disposed of by a Common order.

4. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioners submitted that already the issue involved in these writ petitions are settled and hence seeking permission to withdraw these writ petitions. Since the issue is settled against the petitioners, on merits also the petitioners are not entitled to any relief.

5. Accordingly, these Writ Petitions have no merits, hence the writ petitions are dismissed on merits, hence the writ petitions are allowed to be withdrawn. There shall be no order as to costs.

Index : Yes / No  
Internet : Yes  
ksa

**09.06.2023**



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**S.SRIMATHY, J**

**ksa**

**Common Order made in  
W.P.(MD)Nos.8410 to 8415 of 2016**

**09.06.2023**