



W.P.Nos.26477 of 2010 & 11378 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **02.01.2024**

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.26477 of 2010

and

W.P.No.11378 of 2011

- 1.S.Subramanian
2. S.C.Mallusamy
- 3.M.Ayyanar
- 4.V.V.Rajan
- 5.T.Nagarajan
- 6.V.Rajaraman
- 7.S.James Albert Paul
- 8.A.David
- 9.C.Shanmugham
- 10.P.Chinnaiyan
- 11.A.Ramasamy
- 12.S.Palanichamy



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13.V.Vellaisamy

14.K.Duraisingam

15.N.Thillainayagam

16.V.Alagirisamy

17.S.Rangaswamy

18.M.Jayapaul

19.M.Chinniah

20.J.Kamaraj

21.R.Pandian

22.J.Sakthivel

23.A.Jayashree

24.R.Bagyam

25.S.Pandian

26.K.Rangachari

27.D.Gnanaraj

28. S.Murugesan

29.Mercelene Florence

30.M.Ramachandran

31.C.Anantharaj



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32. A.Thirugnanam

33. M.Liakat Ali

34.S.Kannan

35.A.S.Prakasam

36.S.Parvathy

37.V.Arappalli

38. P.T.Ponnuraj

39.K.Subbaian

40.S.Kumarasamy

41.N.Gunasekaran

42.N.Ramachandran

43.L.Kanchanamala

44.S.Chandra

45.L.Shyamala Mani

46.P.Vijayam

47.M.Thevamani

48.N.Dhanalakshmi

....Petitioners in W.P.No.26477 of 2010



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1. N.Sarangan
2. R.Neelamegam
3. S.Sivanseyal
4. M.Rathinsabapathy
5. C.Kalliyaperumal
6. A.Shanmugam
7. M.Abdul Hadhi
- 8.R.Girija
9. S.Mariadoss
- 10.A.Panneerselvam
- 11.C.Rajendran
12. K.Ettiagoundar
13. K.Pandurangan
- 14.P.Aravamudhan
- 15.P.Pichamuthu
- 16.B.Ramalingam
17. K.Chinnasamy
- 18.D.Alavandar



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19. K.N.Narayanasamy
20. V.Elangovan
21. G.Surendran
22. N.Mahadevan
- 23.G.Natarajan
- 24.S.Muthukumaran
- 25.S.Dhanapalan
- 26.S.Thirunavukkarasu
27. M.D.Rajarathinam
- 28.G.Ramanujam
- 29.N.Ramalingam
- 30.M.Jayaraman
- 31.S.Krishanmurthi
- 32.R.sSenthamaraikannan
- 33.R.Ramadoss
- 34.V.Amirthavalli
- 35.M.Thambiraj
- 36.R.Paramasivam
- 37.D.Pandurangan



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38. V.Paramasivam

39. M.Ranganathan

40. P.Arasappan

41. M.Rajamanickam

42. S.Ramasamy

43. K.O.S.Bahurdeen

44. R.Dhanalakshmi

45. V.Chidambaram

46. S.Kamala

47. S.Periyayal

48. R.Thirupurasundari

49. K.Kasthori

50. P.Boopathy

....Petitioners in W.P.No.11378 of 2011

Vs

1. The Government of Tamil Nadu
Represented by Secretary to the Government,
School Education Department,
Fort St. George,
Chennai – 600 009.



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2. The Government of Tamil Nadu,
Represented by its Secretary,
Finance Department,
Fort St. George,
Chennai – 600 009.

3. The Director of School Education,
College Road,
Chennai – 600 006.

.... Respondents in both W.Ps

COMMON PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Certiorarified Mandamus, calling for the records of the first and third respondent in relation to letter No.25103/A1/09-2 dated 21.01.2010 and proceedings Na.Ka.No.82853/C1/C2/09 dated 25.02.2010 respectively and quash the same and issue a consequential direction to the respondents to extend the benefit of the G.O.Ms.No.1581, Education Department dated 06.11.1989 to the petitioners as well in the way and manner as implemented as in the case of “A” wing teachers and to grant arrears of pay and pension.

For Petitioners : Mr.R.Saseetharan

For Respondents : Mr.K.Thippu Sulthan
Government Advocate (Crl.Side)



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COMMON ORDER

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The Writ Petitions have been filed to issue a Writ of Certiorarified Mandamus challenging a letter dated 21.01.2010 bearing reference No.25103/A1/09-2 and proceedings dated 25.02.2010 bearing reference Na.Ka.No.82853/C1/C2/09 respectively passed by the first and third respondents and issue a consequential direction to the respondents to extend the benefit of G.O.Ms.No.1581, Education Department, dated 06.11.1989 to the petitioners as well, in the way and manner as in the case “A” wing teachers and to grant arrears of pay and pension.

2. The learned counsel for the petitioners submitted that, in a similar writ petition filed by similarly placed employees in W.P.No.25673 of 2011, this Court on 27.11.2023, taking note of the fact that similar Writ Petitions filed by similarly placed employees were dismissed and Writ Appeals in W.A.No.1214 of 2014 etc., were also dismissed and the aggrieved parties ie., similarly place employees have filed SLP(C)D.No.12761 of 2020 before the Hon'ble Supreme Court of India and when that matter is pending, considering the dismissal of Writ Petition, Writ Appeals and pendency of SLP, this Court has passed the following order:



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“6. In view of the above, this Writ Petition is disposed of on the following terms

(i) The prayer in the writ petition shall stand dismissed in terms of the judgment of this Court dated 19.08.2019 in W.A.No.1214 of 2014 etc.,:

(ii) In the event, SLP(C)D.No.12761 of 2020 is allowed and any relief is granted in favour of the petitioners therein ie., P.R.Rengasamy and others, it is open for the writ petitioners to make a representation before the respondents and upon the receipt of the said representation along with the order of Hon'ble Supreme Court, it would be incumbent upon the respondents to reconsider the case of the petitioners in terms of the order of the Hon'ble Supreme Court.”

The learned counsel for the petitioners seeks this Court to pass similar order.

3. Taking note of the fact that, the Writ Petitions and Writ Appeals filed for similar relief were dismissed and that against the dismissal of Writ Appeal, SLP(C)D.No.12761 of 2020 is pending before the Hon'ble Supreme Court of India, this Court passes the following order:



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(i) The prayer in the **writ petitions shall stand dismissed** in terms of the judgment of this Court dated 19.08.2019 in W.A.No.1214 of 2014 etc.,:

(ii) In the event, SLP(C)D.No.12761 of 2020 is allowed and any relief is granted in favour of the petitioners therein ie., P.R.Rengasamy and others, it is open for the writ petitioners to make a representation before the respondents and upon the receipt of the said representation along with the order of Hon'ble Supreme Court, it would be incumbent upon the respondents to reconsider the case of the petitioners in terms of the order of the Hon'ble Supreme Court.

02.01.2024

Index :Yes/No

Internet:Yes/No

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To

1. The Government of Tamil Nadu
Represented by Secretary to the Government,
School Education Department,
Fort St. George,
Chennai – 600 009.
2. The Government of Tamil Nadu,
Represented by its Secretary,
Finance Department,
Fort St. George,
Chennai – 600 009.
3. The Director of School Education,
College Road,
Chennai – 600 006.



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G.CHANDRASEKHARAN, J

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