



W.P.No.4296 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.4296 of 2021

A.Lalitha

...

Petitioner

Vs.

- 1 The Government of Tamil Nadu
Rep. by its Secretary to Government,
School Education Department,
St.George Fort, Chennai-9.
- 2 The Director of School Education,
College Road, Nungambakkam,
Chennai-34
- 3 The District Educational Officer,
Ponneri,
Thiruvallur & District.
- 4 The Chief Educational Officer,
Thiruvallur & District.
- 5 The Head master,
Britania High School,
Padi, Chennai - 50.

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to extent the entire benefits of G.O.Ms.No.216 dated 22.03.1993, by revising petitioner's pay scale as well as pension from 01.06.1988 onwards as per the petitioner's representation, dated 16.09.2019.

For Petitioner ... Mrs.M.Prabhavathi for
Mr.M.Thamizhavel

For Respondents ... Mr.M.Rajendran,
Additional Government Pleader

ORDER

This Writ Petition has been filed, seeking a direction to 1st respondent to extent the entire benefits of G.O.Ms.No.216 dated 22.03.1993, by revising petitioner's pay scale as well as pension from 01.06.1988 onwards as per the petitioner's representation, dated 25.11.2019.

2. The petitioner was initially appointed as Higher Grade teacher on 07.09.1964 and thereafter she was working as Secondary Grade Teacher in the 5th Respondent School from 02.09.1968 in the scale of pay 65-1-70-2-90. The petitioner was awarded Selection Grade on 24.03.1976 and Special



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Grade on 07.05.1986. In the meanwhile 5th Respondent School was upgraded as High School in the year 1981 and subsequently the petitioner was promoted to the post of B.T.Assistant on 30.07.1997 and she was retired from service on 31.07.2004 on attaining the age of superannuation. According to the petitioner, she has rendered most of her service as Secondary grade Assistant and only for a period of 7 years she was working as a B.T.Assistant. Hence, she is eligible to get the benefits of revision of scale of pay as per G.O.Ms.No.216, Finance (Pay Cell) Department, dated 22.03.1993. However, the same was not extended to the petitioner.

3. It is the grievance of the petitioner that though similarly placed teachers like the petitioner herein have got the benefits of G.O.Ms.No.216, Finance (Pay Cell) Department, dated 22.03.1993 by filing number of Writ Petitions, the petitioner has not got the entire fruits of the said G.O. Hence, this Writ Petition.



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4. The Respondents filed a detailed counter affidavit, stating that the petitioner was working in High School which was upgraded as High School in the year 1981 which is well before 31.12.1995 where promotional opportunity was available and accordingly she was promoted to the post of B.T.Assistant on 30.07.1997. Hence, she is not eligible to get the benefits of G.O.Ms.No.216, Finance (Pay Cell) Department, dated 22.03.1993.

5. Heard Mrs.M.Prabhavathi, learned counsel for the petitioner and Mr.M.Rajendran, learned Additional Government Pleader appearing for the Respondents.

6. On perusal of records, it is seen that the School where the petitioner was working has been upgraded as High School in the year 1981. The petitioner has got the opportunity for promotion and accordingly she got promoted to the post of B.T.Assistant in the year 1997.



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7. In view of the above, the petitioner will not fall under the category

to extend the benefits of G.O.Ms.No.216, Finance (Pay Cell) Department, dated 22.03.1993. Hence, this Writ Petition is dismissed. No costs.

31.01.2024

Index: Yes / No

Speaking order / Non-speaking order

Neutral Citation: Yes / No

vum



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R.N.MANJULA ,J.

vum

To:

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