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W.P.No.11143 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.11143 of 2022

V.Veeramuthu

...Petitioner

-Vs-

1. The District Educational Officer,
Senthurai Taluk,
Perambalur District, Perambalur.
2. The Block Education Officer,
Senthurai Taluk, Perambalur District.
3. Elango Aided Middle School,
represented by its Secretary,
Nagalkuzhi Village and Post – 621 806
Senthurai Taluk,
Perambalur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to sanction regular secondary grade time scale of pay to the petitioner from 29.02.1996, as per G.O.Ms.No.224, Education, Science and Technology Department dated 29.04.1994, to sanction Selection Grade increment and Special Grade Increment on completion 10 years and 20 years of service to the petitioner w.e.f.29.02.2006 and 29.02.2016 respectively, to sanction of incentive increment to the petitioner for acquiring higher qualification of M.A and to count 50% of par time service of the petitioner as Pre-Vocational Instructor



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(Agri) from 01.12.1986 to 28.02.1996, for the purpose of pensionary and other monetary benefits, on considering representation of the petitioner dated 10.07.2017, 04.08.2017 and 26.03.2022.

For Petitioner : Mr.S.N.Ravichandran
For R1 and R2 : Mrs.S.Mythreye Chandru
Special Government Pleader
For R3 : Mr.G.Sankaran, Senior Counsel
for Mr.S.Nedunchezhiyan

ORDER

This Writ Petition has been filed for direction directing the respondents to sanction regular secondary grade time scale of pay to the petitioner from 29.02.1996, as per G.O.Ms.No.224, Education, Science and Technology Department dated 29.04.1994, to sanction Selection Grade increment and Special Grade Increment on completion of 10 years and 20 years of service to the petitioner w.e.f.29.02.2006 and 29.02.2016 respectively.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was qualified with old SSLC and he was appointed as Pre-Vocational Instructor (Agri) as part time, on 01.12.1986. Thereafter, he had passed Trained Teacher Certificate (Agriculture). As per G.O.Ms.No.224, dated Education, Science and Technology Department dated 24.03.1994, converted



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the qualified part time Craft Teacher into a full time Teacher and absorbed them in the Secondary Grade vacancies on giving three months training in a phased manner. Accordingly, the petitioner had undergone three months Teacher Training from November 1995 to February 1996 and thereafter, he had joined in the fourth respondent School, on 29.02.1996. Therefore, the petitioner claims for secondary grade pay with effect from 29.02.1996. But the third respondent, by its proceedings dated 05.08.1997, absorbed the petitioner with effect from 06.08.1997 and the same was endorsed in the Service Register, on 28.04.1998.

4. Subsequently, his service was regularized from 06.08.1997. The further case of the petitioner is that the petitioner was not granted selection grade increment on completion of ten years of service and special grade increment on completion of 20 years of service. Therefore, the petitioner made a representation. Thereafter, the petitioner also qualified with M.A degree and even then, the petitioner was not sanctioned with incentive increment. While being so, the petitioner attained the age of superannuation, on 30.09.2017. Now, the petitioner submitted a representation seeking selection grade and special grade for his completion of 20 years of service and also secondary grade pay scale from 29.02.1996.

5. The petitioner was appointed as Secondary Grade Teacher, on



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06.08.1997 and his service was also regularized from 06.08.1997. After having been rendered service till his superannuation and after retirement, the petitioner made a representation seeking selection grade as well as special grade increment. Further, he also sought for incentive increment for acquiring higher qualification of M.A degree and count 50% of his earlier service as Pre-Vocational Instructor, for the purpose of pensionary and other monetary benefits. While he was in service, the petitioner never asked for any relief. After his retirement, the petitioner made a request for those benefits which are not entitled to the petitioner.

6. In view of the above, the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

25.07.2024

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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To



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G.K.ILANTHIRAIYAN. J,

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