



WEB COPY



W.P.No.19102 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2024

CORAM:

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

W.P.No.19102 of 2024

P.Viswanathan

...Petitioner

-Vs-

1. Government of Tamil Nadu,
represented by Principal Secretary to Government,
School Education Department,
Secretariat,
Chennai 600 009.
2. The Director of Elementary Education,
College Road, DPI Compound,
Nungambakkam,
chennai – 600 006.
3. The Chief Educational Officer,
Tiruvallur,
Tiruvallur District.
4. The District Educational Officer (Elementary),
Tiruttani,
Tiruvallur District.
5. The Block Educational Officer,
Pallipattu Block,
Tiruvallur 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 consider petitioner representation dated 01.04.2023 regarding to extent the benefit of



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G.O.Ms. No.210 School Education (G1) Department dated 14.08.2009 and G.O. Ms. No.190 School Education (G1) Department dated 12.07.2010 to the petitioners by counting their earlier service in secondary grade category as well as Primary School Headmaster / B.T. Assistant/ Tamil Pandit categories along with the present Middle School Headmaster post and award the pay scale of selection/ special grade Scale of pay with effect from 01.06.1988 onwards and Revise the pensionary benefits in the light of the orders passed in the Common Judgement in W.A. No.73/2016 and batch dated 26.03.2019 on the file of this Court.

For Petitioner : Mr.J.Muthukumaran
For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

This Writ Petition has been filed for direction directing the respondents to consider petitioner representation dated 01.04.2023 regarding to extent the benefit of G.O.Ms.No.210, School Education (G1) Department dated 14.08.2009 and G.O.Ms.No.190, School Education (G1) Department dated 12.07.2010 to the petitioners by counting their earlier service in secondary grade category as well as Primary School Headmaster / B.T. Assistant/ Tamil Pandit categories along with the present Middle School Headmaster post and award the pay scale of selection/ special grade Scale of pay with effect from 01.06.1988 onwards and Revise the pensionary benefits in the light of the orders passed in the Common Judgement in W.A. No.73/2016 and batch dated 26.03.2019 on the



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file of this Court.

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

3. The petitioner had retired from service as Secondary Grade Headmaster in the year 1999. Thereafter, he sought for sanction of Selection Grade/Special Grade in the cadre of Elementary School Headmaster, as per G.O.Ms.No.234, School Education Department dated 10.09.2009 and as per G.O.Ms.No.210, School Education (G1) Department dated 14.08.2009. Already the request made by the petitioner was rejected. Now, after a period of 14 years, once again the petitioner submitted a representation for the very same relief in view of the Judgment passed by the Hon'ble Division Bench of this Court. Therefore, the petitioner is a fence sitter and the representation submitted by the petitioner cannot be considered.



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4. 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.

19.07.2024

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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