



WEB COPY

W.A.No.89



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2024

CORAM:

**THE HON'BLE MR.JUSTICE R.SURESH KUMAR
and
THE HON'BLE MR.JUSTICE K.KUMARESH BABU**

**W.A.No.895 of 2021
and C.M.P.Nos.5183 & 5184 of 2021**

- 1.The Government of Tamil Nadu,
Rep. by Secretary to the Government,
School Education Department,
Fort St. George, Chennai – 600 009.
- 2.The Director of Elementary Education,
College Road, Chennai – 600 006.
- 3.The District Elementary Educational Officer,
Vellore District, Vellore.
- 4.The Additional Assistant Elementary Educational Officer,
Madhanoor Panchayat Union, Madhanoor,
Vellore District.

...Appellants

VS.

- 1.V.Janardhanan
Primary School Headmaster (Retd.)
- 2.P.Sathyanarayanan
Primary School Headmaster (Retd.)
- 3.J.Balakrishnamaraja
Primary School Headmaster (Retd.)
- 4.R.Rukmangatha

...Respondents



Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 10.06.2015 passed by the learned Single Judge made in W.P.No.16340 of 2015.

For Appellants : Mr.P.Gurunathan
Additional Government Pleader

For Respondents : Mr.R.Saseetharan for R1 to R4

J U D G M E N T

(Judgment of the Court was delivered by K.KUMARESH BABU, J.)

This Intra Court Appeal has been preferred against the order of the learned Single Judge, wherein the order of the second respondent dated 23.07.2010 was quashed and the appellants were directed to grant the arrears of pay in respect of pay fixation done under G.O.Ms.No.207 School Education (G2) Department dated 30.09.2008, with a further direction to comply with the same within a period of 12 weeks from the date of receipt of copy of the order.

2.We have heard Mr.P.Gurunathan, learned Additional Government Pleader appearing for the appellants and Mr.R.Saseetharan, learned counsel appearing for the respondents 1 to 4.



W.A.No.89

WEB COPY

3. When this appeal was taken up, a judgment of this Bench in a batch of cases in W.A.No.2857 of 2019 etc. was placed before us, wherein we have considered a similar issue and rejected the appeals filed by the Government and allowed the Writ Petitions filed by the respective individuals and had held that the retired teachers who have earned promotion as Primary School Headmaster after 01.06.1988 were entitled to get the benefit of salary dues as well as pension dues by way of arrears.

4. We are of the view that the judgment referred supra, is squarely applicable to the facts of this case. Hence, we are of the considered view that this Writ Appeal will also have to fail.

5. In fine, the Writ Appeal fails and is dismissed. The order of the learned Single Judge shall be implemented within a period of eight (8) weeks from the date of receipt of a copy of this judgment. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

(R.S.K.,J.) (K.B.,J.)
14.02.2024

Index: yes/no
Speaking order: yes/no
Neutral Citation: yes/no
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W.A.No.89



R.SURESH KUMAR, J.
and
K.KUMARESH BABU, J.

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