



W.P.(MD).No.6606 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.6606 of 2024

P.Rethinam

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
School Education Department,
Fort St.George,
Chennai – 600 009.
- 2.The Commissioner of School Education,
College Road,
DPI Compound,
Chennai – 600 006.
- 3.The Director of Elementary Education,
College Road,
DPI Compound,
Chennai – 600 006.
- 4.The Chief Educational Officer,
Office of the Chief Educational Officer,
Ramanathauram District.
- 5.The District Elementary Educational Officer,
Office of the District Elementary Educational Officer,
Educational Officer,
Ramanathapuram District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to extend the benefits of G.O.Ms.No. 210, School Education (G1) Department dated 14.08.2009 and G.O.Ms.190 dated 12.07.2010 in favor of the petitioner and further directing the respondents to count the service rendered by the petitioner before 01.06.1988 as Secondary Grade Teacher for the purpose of the fixation of Selection Grade / Special Grade of pay in the post of the Middle School Graduate Headmaster and further to grant arrears of pay to the petitioner, within a time frame as fixed by this Court.

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondents : Mr.T.Amjadkhan
Government Advocate

O R D E R

This Writ Petition has been filed seeking direction against the first respondent to extend the benefits of G.O.Ms.No. 210, School Education (G1) Department dated 14.08.2009 and G.O.Ms.190 dated 12.07.2010 in favor of the petitioner and further directing the respondents to count the service rendered by the petitioner before 01.06.1988 as Secondary Grade Teacher for the purpose of the fixation of Selection Grade / Special Grade of pay in the post of the Middle School Graduate Headmaster and further to grant arrears of pay to the petitioner.



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2. Heard Mr.Aayiram K.Selvakumar, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents.

3. Mr.Aayiram K.Selvakumar, learned counsel for the petitioner submitted that the petitioner was initially appointed as Secondary Grade Teacher on 09.06.1978 and was given selection grade on 09.06.1988. Subsequently, the petitioner was promoted as Middle School Graduate Head Master on 15.06.1990 and continued working as Assistant Elementary Educational Officer at the same level and retired on 31.05.2013. The claim of the petitioner is that the petitioner has not been given with the benefit of G.O.Ms.No.210, School Education (G1) Department dated 14.08.2009 and G.O.Ms.No.190, School Education Department, dated 12.07.2010, in respect of their claim for promotion by treating his services in the lower cadre post for awarding Special Grade and Selection Grade and by granting the relief of promotion.

4. Despite the petitioner's entitlement for counting his service rendered before 01.06.1988 as Secondary Grade Teacher for the purpose of the fixation of Selection Grade / Special Grade of pay in the post of the Middle School Graduate Headmaster, he has not been given the said



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benefits. In this regard, the petitioner has also given a representation, dated 05.04.2023 to the District Collector, Ramanathapuram. The District Collector, Ramanathapuram vide proceedings dated 12.03.2023 directed the authority concerned to take appropriate action and to inform the same to the petitioner and to the District Collector office as well. He also directed the petitioner to attend the Pensioner Grievance Day meeting to be held on 18.04.2023. Since the petitioner's health is not well, he could not follow the issue consistently. Hence, the petitioner approached this Court by way of filing this Writ Petition.

5. Since the Government itself has passed the Government Order, only on the basis of same, the Court has issued direction in respect of the individuals. But the respondents need not wait or expect that every individual should go to the Court and obtain the order. Since the entitlement has already been established by virtue of earlier Government Order issued in this regard, the petitioner is entitled to seek Selection Grade / Special Grade in the post of Middle School Headmaster by counting the service of Secondary Grade Teacher from the date on which the petitioner was promoted as Middle School Headmaster.



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6. For the aforesaid reasons, the first respondent is directed to extend the benefits of G.O.Ms.No. 210, School Education (G1) Department dated 14.08.2009 and G.O.Ms.190 dated 12.07.2010 to the petitioner, by counting the service rendered as Secondary Grade Teacher, from the date of his promotion to the post of Middle School Headmaster. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is **disposed of**. No costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:

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R.N.MANJULA, J.

Nsr

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