



**W.P.(MD).No.9793 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 06.11.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.9793 of 2023**

S.Anbalagan

... Petitioner

Vs.

1. The Accounts Officer/  
Branch Officer,  
Office of the Principal Accountant General,  
(A&E), Tamil Nadu,  
Chennai.

2. The District Educational Officer,  
Theni District.

3. The Block Educational Officer,  
Chinnamanur,  
Theni District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to revise the pension of the petitioner as per G.O.(Ms) No.234 Finance (Pay Cell) Department, dated 01.06.2009 to the Selection Grade Primary School Head Masters and clarified by the Government Letter No.14483/CMPC/2011-1, dated 05.01.2012 with arrears of periodical revised pension, and other monetary benefits accrued to the petitioner all these years.



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For Petitioner : Mr.K.Appadurai  
For R1 : Mrs.Mahalakshmi  
Standing Counsel  
For R2 and R3 : Mr.N.Satheesh Kumar  
Additional Government Pleader

### **ORDER**

The present Writ Petition has been filed by a retired Primary School Headmaster, seeking a Mandamus to revise the pension of the petitioner as per G.O.(Ms) No.234, Finance (Pay Cell) Department, dated 01.06.2009 to the Selection Grade Primary School Head Master, based upon the clarification of Government Letter issued on 05.01.2012.

2. A perusal of the records indicate that the petitioner was initially appointed as a Secondary Grade Teacher on 24.03.1975. The petitioner was conferred with Selection Grade with effect from 24.03.1985 and Special Grade with effect from 24.03.1995. The petitioner was promoted as a Primary School Headmaster on 01.02.2003. The petitioner attained superannuation on 31.08.2006.



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3. According to the learned counsel appearing for the writ petitioner, the petitioner would be entitle to Selection Grade in the cadre of Primary School Headmaster, based upon the above said Government Order and the clarification Letter issued by the Government on 05.01.2012.

4. A perusal of the clarification letter issued by the Government on 05.01.2012 clearly reveals that such a benefit would be conferred only when the teachers were awarded Selection Grade or Special Grade prior to 01.01.2006 and the Teachers, who have opted for the revised scale of pay on subsequent date between 01.01.2006 and 31.05.2009.

5. The dates and events narrated above will clearly indicate that there was no stagnation to the petitioner in the cadre of Primary School Headmaster for a period exceeding 10 years. Therefore, the question of granting Selection Grade to the petitioner in the cadre of Primary School Headmaster, based upon the above said Government Order or the clarification Letter would not arise. Only for those teachers, who have already been granted Selection Grade or Special Grade prior to 01.01.2006 and who have opted for the revised scale of pay on a subsequent date, the benefits would be conferred upon them.



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Since the present case does not fall within any one of the parameters laid down by the Government order as well as clarification Letter, there are no merits in this Writ Petition.

6. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

**06.11.2024**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes / No  
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To

1. The Accounts Officer/  
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Chennai.
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**R.VIJAYAKUMAR,J.**

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