



W.P.(MD)No.22766 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.22766 of 2021

B.Suyambu Kani

... Petitioner

Vs.

1.The Secretary to Government,
School Education Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.

2.The Director of School Education,
Chennai-600 006.

3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Kanyakumari District.

4.The District Education Officer,
Office of District Elementary Education Officer,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus, directing the respondents herein to revise the pay and pension of the petitioner in the Selection Grade / Special Grade in the post of Secondary Grade Teacher for the period between 01.06.1998 and 31.12.1995 on and from 01.03.2017 onwards as per the order dated 09.12.2016



W.P.(MD)No.22766 of 2021

made in W.P.(MD).No.21515 of 2016 and followed by the first respondent in G.O.(Ms).No.90, dated 09.05.2018.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.T.Amjadkhan,
Government Advocate

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to revise the pay and pension of the petitioner in the Selection Grade / Special Grade in the post of Secondary Grade Teacher for the period between 01.06.1998 and 31.12.1995 on and from 01.03.2017 onwards as per the order dated 09.12.2016 made in W.P.(MD).No.21515 of 2016.

2. Learned counsel for the petitioner submits that the directions issued by the Full Bench of this Court by its order dated 09.12.2016 passed in a batch of writ petitions filed by various petitioners including the petitioner has not been implemented insofar as this petitioner is concerned. A slew of directions has been issued in the aforesaid Full Bench order. The petitioner claims that as per the Full Bench Order, his pay and pension ought to have been revised in the Selection Grade / Special Grade in the post of Secondary Grade Teacher for the



W.P.(MD)No.22766 of 2021

period between 01.06.1998 and 31.12.1995 on and from 01.03.2017 onwards.

The petitioner has given representations on 22.06.2018 and 09.02.2021 seeking for the relief as stated supra. Since the representations have not been considered, he has filed this Writ Petition.

3. Counter affidavit is yet to be filed by the respondents.

4. Learned counsel appearing for the petitioner would submit that even though a positive direction is sought for in this Writ Petition, it would suffice if a direction is issued to the respondents to consider the petitioner's representation seeking for the aforementioned relief on merits and in accordance with law within a time frame to be fixed by this Court.

5. No prejudice would be caused to the respondents, if the representation of the petitioner is considered on merits and in accordance with law.

6. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the fourth respondent seeking for the relief as sought for in this Writ Petition within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the fourth respondent



W.P.(MD)No.22766 of 2021

shall forward the same to the second respondent, who in turn, shall forward the same to the first respondent for passing final orders on the petitioner's representation. The respondents are directed to complete the exercise of passing the final order based on the petitioner's representation within a period of four months from the date of receipt of the representation from the petitioner.

7. With the aforesaid direction, the Writ Petition is disposed of. No costs.

30.08.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

- 1.The Secretary to Government,
School Education Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.
- 2.The Director of School Education,
Chennai-600 006.
- 3.The Chief Educational Officer,
Office of the Chief Educational Officer,
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W.P.(MD)No.22766 of 2021

4. The District Education Officer,
Office of District Elementary Education Officer,
Tirunelveli District.



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W.P.(MD)No.22766 of 2021

ABDUL QUDDHOSE, J.

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W.P.(MD)No.22766 of 2021

30.08.2024