



REV.APLC(MD)No.143 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**REV.APLC(MD)No.143 of 2022
and
CMP(MD)No.9878 of 2022**

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
School Education Department,
Fort St.George, Chennai-600 006.

2. The Director of Elementary Education,
College Road,
Chennai-600 006.

3. The District Elementary Educational Officer,
Pudukkottai,
Pudukkottai District.

4. The Assistant Elementary Educational Officer,
Aranthangi,
Pudukkottai District.

... Petitioners

VS.

A.Marimuthu

... Respondent

Prayer : Review Application filed under Order 47 Rules 1 and 2 read with Section 114 of the Civil Procedure Code, to review the order dated 24.11.2017 passed by this Court in W.A(MD)No.459 of 2016.



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For Petitioners : Mr.S.P.Maharajan, Special Government Pleader
For Respondent : Mr.I.G.Ivyn for M/s.Isaac Chambers

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ORDER

(Order of the Court was made by **R.SUBRAMANIAN, J.**)

The review is sought for of the judgment of the Division Bench made in W.A(MD)No.459 of 2016, dated 24.11.2017, allowing the appeal filed by the respondent herein, directing inclusion of the services of the respondent as a Secondary Grade Teacher for determining his eligibility for selection grade as well as special grade salary in the post of Primary School Headmaster.

2. This issue has been settled by several Division Bench judgments of this Court. In fact, even in the judgment that is sought to be reviewed, this Court has pointed out that the order of the learned Single Judge passed in the same batch of cases was questioned in W.A(MD)Nos.999 to 1045 of 2011 and the same was set aside and the writ appeals were allowed. The learned Single Judge who decided the writ petition, had dismissed the writ petition filed by the respondent on the ground of delay and laches only. In fact, a Full Bench of this Court in **Government of Tamil Nadu represented by its Secretary, School Education Department and others Chennai vs. G.Eswaran and others** reported in **(2017) 2 MLJ 257 (FB)**, had examined the same issue and had



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concluded that a Secondary Grade Teacher who is appointed as a Primary School Headmaster would be entitled to inclusion of his services as Secondary Grade Teacher while fixing his pay in the selection grade and special grade. Hence, we see no reason to review the order passed in the writ appeal.

3. The Review Application is, therefore, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M, J.)

(G.R.S, J.)

30.08.2024

Index : Yes / No
Neutral Citation : Yes / No
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