



WEB COPY

W.P.No.15642 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.15642 of 2012

V.Ramaseshan

... Petitioner

Vs.

1.The District Elementary Educational Officer,
Kancheepuram, Kancheepuram District.

2.The Additional Assistant Elementary
Educational Officer, Achirupakkam,
Kancheepuram District.

... Respondents

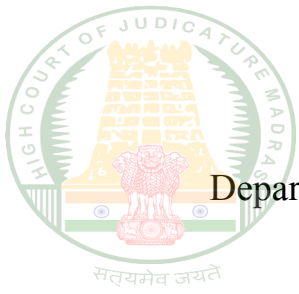
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the impugned order of the second respondent in Na.Ka.No.615/A1/2010 dated 14.03.2012 and quash the same.

For Petitioner : P.Manoj Kumar

For Respondents : Ms.Akila Rajendran

ORDER

This writ petition has been filed challenging the proceedings- Na.Ka.No.615/A1/2010 issued by the 2nd respondent ordering for recovery of an amount of Rs.1,41,667/- being the amount that were paid to the petitioner towards arrears of salary pursuant to G.O.Ms.No.207, School Education (G2)



Department, dated 30.09.2008.

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2. The respondents filed counter affidavit resisting the relief sought in this writ petition.

3. When the matter is taken up for consideration, it is brought to the notice of this Court by learned counsel for the petitioner that the very same issue, as to the entitlement of the Headmaster who was promoted subsequent to 01.06.1988 for payment of salary, has come up for consideration before the Division Bench of this Court in W.A.No.2857 of 2019 and batch, and the learned Division Bench, by an order dated 13.07.2023, declared that the Teachers who earned the promotion as Primary School Headmasters after 01.06.1988 are entitled to get the benefit of salary dues as well as pension dues by way of arrears and that shall be calculated and be paid to the respective retired Teachers/Primary School Head Masters by the department.

4. The petitioner herein is the one who was promoted to the post of Primary School Headmaster on 01.07.1998 i.e., after 01.06.1988. Therefore, the entitlement of the petitioner for payment of salary dues cannot be denied.



The salary amounts that were paid to the petitioner is now sought to be recovered through impugned proceedings to the tune of Rs.1,41,667/-.

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5. From the above, it is evident that the issue that arise for consideration in this writ petition is squarely covered by an order dated 13.07.2023 passed in W.A.No.2857 of 2019 and batch. Ms.Akila Rajendran, learned Government Advocate appearing for the respondents, having perused the order dated 13.07.2023 passed by the learned Division Bench, also confirmed that the issue is squarely covered by the said order passed by the learned Division Bench.

6. In the light of the above, the impugned proceedings is liable to be quashed and the same is quashed. Accordingly, this writ petition is allowed. No costs. Connected miscellaneous petitions, if any, shall stand closed.

18.07.2025

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

MUMMINENI SUDHEER KUMAR, J.



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