



WEB COPY

W.P.No.25930 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

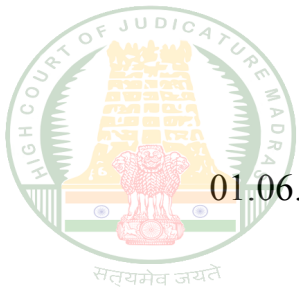
W.P.No.25930 of 2015

1. S.Joseph Deivasigamani
 2. C.Peter (Deceased)
 3. Siria Pushpam P ... Petitioners
- P3 substituted as LR of deceased P2 vide order
dated 12.06.2025 made in W.M.P.No.16017 of 2025

Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary,
School Education Department,
St George Fort, Chennai – 600 009.
2. The Director of School Education,
DPI Campus, College Road, Chennai – 6.
3. The District Educational Officer,
Cheranmahadevi District Educational Office,
Kokkirakulam, Tirunelvi – 627 001.
4. The District Educational Officer,
District Educational Office, Thoothukudi – 2. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to extend the benefits of G.O (Ms) No.216, Finance (PC) Department, dated 22.03.1993 and accordingly award Selection/ Sepcial Grade scale of pay with effect from



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01.06.1988 and revise pensionary benefits and pay arrears to the petitioners.

For Petitioners : Mr.J.Antony Jesus

For Respondents : M/s.Akila Rajendran,
Government Advocate

ORDER

This writ petition has been filed seeking writ of certiorarified mandamus to direct the respondents to extend the benefits of G.O (Ms) No.216, Finance (PC) Department, dated 22.03.1993.

2. When the matter was taken up for consideration before this Court on 12.06.2025, it was represented by the learned Additional Government Pleader that the issue arising for consideration in this writ petition is covered by an order passed by the Hon'ble Full Bench of this Court on 19.12.2016. In view of the same, the matter was adjourned to enable the learned counsel for the petitioner to verify.

3. This court, having taken note of the relief sought in the present writ petition and the order passed by the learned Full Bench dated 09.12.2016 in Review Application No.227 of 2015 in Writ Appeal No.352 of 2014 and batch, is thoroughly convinced that the very same relief was sought in the



said batch of writ petitions and the learned Full Bench, after having examined the matter in detail, granted relief in Paragraph No.38 of the said order.

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4. Paragraph No.38 of the said order reads as under:-

“38. Today, when the matters are taken up for consideration, keeping in mind the financial strain that would fall on the State exchequer in the event of implementation of the G.O., and in order to give a quietus to the issue, we feel it appropriate to fix the date as 01.03.2017 from which date onwards, the Government shall calculate and revise the pension and family pension (without arrears) based on the revised scales of pay by implementing the G.O., for which, the learned Advocate General and the learned counsels appearing for the Teachers have fairly acceded to the same. Accordingly, we pass the following:

i) The Government is directed to implement the G.O.Ms.No.216, dated 22.3.1993 for the period between 1.6.1988 and 31.12.1995, on and from 1.3.2017 onwards in respect of all the Secondary Grade Teachers of High/Higher Secondary Schools including the Special Teachers who attained Selection grade/Special Grade during the above said period, on par with the pay scale of Primary School Headmasters;

ii) Consequently, the Government shall calculate and revise the pension of those who retired from service and revise the family pension in respect of those who expired, based on the revised scales of pay in terms of G.O.Ms.No.216, dated 22.3.1993 payable on and from 1.3.2017;



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iii) It is made clear that the beneficiaries under this order, are not entitled to the arrears of revised pay scales;

iv) It is further made clear that the benefits as directed above, shall be extended to the parties who are before this Court alone and no fresh Writ Petitions would be entertained on and from 09.12.2016;

v) The Government is directed to expedite the process of calculating and fixing the revised pension and family pension and we do hope that the Government will complete the same as early as possible without making any further delay;

vi) All the matters which are at SR stage and listed before this Court are also ordered and disposed of by this common order and consequently, connected MPs thereof, are ordered;”

5. From the above, it is also evident that the said order was passed as a consenting order and the relief granted therein is also confined only to the parties to the said batch of writ petitions and the learned Full Bench also put an embargo on filing of fresh writ petitions after 09.12.2016.

6. In the light of the above, M/s.Akila Rajendran, learned Government Advocate appearing for the respondents submitted that the benefits of the

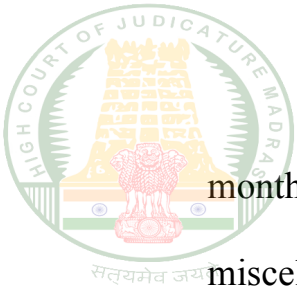


said order cannot be extended to the petitioners herein, as the order of the learned Full Bench specifically restricts its effect only to the parties to the said batch of writ petitions.

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7. This court, having considered the said submissions, is unable to agree with the same, as the embargo that is put by the learned Full Bench is only from filing fresh writ petitions after 09.12.2016 seeking similar relief. Here is the case where the petitioners had already approached this court in the year 2015, and the matter is pending for consideration before this court. Therefore, the petitioners cannot be deprived of the benefits that were extended to the similarly situated persons by the learned Full Bench of this court.

8. In the light of the above, this writ petition is **disposed of** in terms of the orders passed by the learned Full Bench of this court, as extracted above, and the respondents are directed to extend the similar benefits that were extended in favour of the parties to the said batch of writ petitions and in terms of G.O (Ms) No.90, School Education (S.E 3(1)) Department, dated 09.05.2018, as expeditiously as possible, at any rate within a period of three



months from the date of receipt of a copy of this order. No costs. Connected
miscellaneous petitions, if any, shall stand closed.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

MUMMINENI SUDHEER KUMAR, J.

skr

To

1. The Secretary to Government of Tamil Nadu,
School Education Department, St George Fort, Chennai – 600 009.
2. The Director of School Education,
DPI Campus, College Road, Chennai – 6.
3. The District Educational Officer,
Cheranmahadevi District Educational Office,
Kokkirakulam, Tirunelvi – 627 001.
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