



W.P.No.19758 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.19758 of 2025

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... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Secretary to Government,
Education Department, Fort St.George,
Chennai – 600 009.
2. The Director of School Education,
DPI, College Road, Nungambakkam,
Chennai – 600 006.
3. The Commissioner,
Corporation Main Office,
Corporation of Coimbatore,
Coimbaotre – 641001.
4. The Corporation Educational Officer,
Corporation Main Office,
Corporation of Coimbatore,
Coimbatore- 641001.
5. The Headmaster,
Corporation Middle School,
Masakalipalayam,
Coimbatore – 641 015.



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6. St.Philomina Primary School

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the various representation and particularly the petition dated 19.10.2024 and accord pay fixation as a secondary grade teacher, taking stock of last drawn salary at Government aided school dated 15.07.2009, with all continuity, attendant and monetary benefits and also to calculate the length of service from 01.02.2001 being the date of joining service at St.Therasa's Girls Higher Secondary School, Karur for the purpose of calculation of pension and other benefits at the time of superannuation.

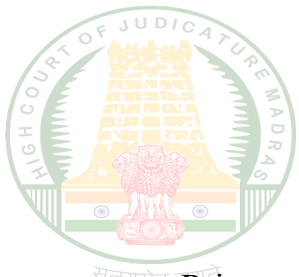
For Petitioners : Mr.C.Johnson

For Respondents : Mr.S.Prabhakaran,
Government Advocate (for R1 to R5)

ORDER

This Writ Petition has been filed to direct the respondents to consider the representation dated 19.10.2024.

2. The learned counsel for the petitioner would submit that the petitioner served in a Government-aided school, namely St. Philomena Girls



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Primary School, Sowripalayam, Coimbatore, with effect from 03.06.2005.

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Thereafter, she was appointed in a Panchayat Union Primary School, Veerapandi, Tiruppur District. However, when she joined the Government school, she was not given any pay protection as provided under Fundamental Rule 22B. In this connection, she gave a representation dated 19.10.2024, and such representation is pending consideration with the first to fourth respondents. He would further submit that in a similar matter, in W.A.No.3868 of 2019, dated 16.10.2020, the Division Bench of this Court considered a similar set of facts and provided pay protection as provided under Fundamental Rule 22B.

3. Per contra, the learned Government Advocate appearing for the first to fifth respondents would strongly object to the said contention. However, he would fairly submit that the said Writ Appeal in W.A.No.3868 of 2019 has decided a similar issue.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the first to fifth respondents and perused the materials available on record.



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5. In view of the above submission, without going to the merits of this Writ Petition, this Court deems it appropriate to direct the first to fifth respondents to consider the petitioner's representation dated 19.10.2024 on its own merits and in accordance with law, after taking into consideration the ratio laid down in W.A.No.3868 of 2019, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

10.06.2025

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Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

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



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2. The Director of School Education,
DPI, College Road, Nungambakkam,
Chennai – 600 006.

3. The Commissioner,
Corporation Main Office,
Corporation of Coimbatore,
Coimbatore – 641001.

4. The Corporation Educational Officer,
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C.KUMARAPPAN, J.

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