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W.P.No.21545 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.12.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 21545 of 2022

T.V.Palanisamy

...petitioner

Vs.

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

2.The Director of Elementary Education,
DPI Campus, College Road,
Chennai – 600 006.

3.The Chief Educational Officer,
Tirupattur District,
Tirupattur.

4.The District Educational Officer,
Tirupattur Educational District,
Tirupattur.

5.The Block Educational Officer,
Tirupattur Block,
Tirupattur District.

...respondents



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Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Certiorarified Mandamus, to call for the records relating to the impugned letter issued by the 5th respondent in Na.Ka.No.0615/Aa1/2022 dated 26.04.2022 and to quash the same and consequently directing the respondents to sanction one bonus increment to the petitioner as per GO.Ms.No.562, Finance Department, dated 28.10.1998 with effect from 01.09.1988 with consequential retirement benefits and revised pensionary benefits, together with payment of interest for delayed payment, within a time frame to be fixed by this Court.

For petitioner : Mr. S.Nedunchezhiyan

For respondents : Mr. S.Prabhakaran
Government Advocate

ORDER

This writ petition is filed seeking to quash the impugned letter issued by the 5th respondent in Na.Ka.No.0615/Aa1/2022 dated 26.04.2022 and consequently direct the respondents to sanction one bonus increment to the petitioner as per GO.Ms.No.562, Finance Department, dated 28.10.1998 with effect from 01.09.1998 with consequential retiral benefits and revised pensionary benefits with interest for the delayed payments.



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2. The short facts necessary for disposing of the above writ petition are as follows.

3. The petitioner was appointed as a Junior Grade Teacher on 11.06.1966. Thereafter, he was appointed as a Secondary Grade Teacher on 15.04.1968. The petitioner was promoted as a Primary School Headmaster on 11.08.1982, in Tirupattur Union. In keeping with provisions of the Government Order No.1381, Education Department dated 05.10.1990, followed by orders of the District Educational Officer, dated 25.10.1990, the petitioner was granted Special Grade in the post of Primary School Headmaster on 01.06.1988. The petitioner continued in the said post for over 14 years and had reached the age of superannuation and retired from service on 31.07.2002. Further, he was allowed to continue in service on re-employment till 31.05.2003.

4. The petitioner who had completed 10 years in the post of Special Grade Primary School Headmaster was entitled to one



increment as Super Grade or Senior Grade which is granted to teachers who have completed 30 years of service. The petitioner would submit that as per GO.Ms.No.562, he has to be granted one bonus increment since he had put in more than 10 years of service in the post of Special Grade Primary School Headmaster. However, this has been denied by the respondents to him.

5. The petitioner would submit that despite his representation and request for the same, he has been made to run from pillar to post for obtaining one bonus increment. Ultimately, by the impugned order dated 26.04.2022, the 5th respondent rejected the petitioner's claim for one bonus increment on the premise that the post of Primary School Headmaster was given a higher scale of pay after 01.06.1988. Therefore, the period of service prior to 01.06.1998 cannot be counted for 30 years of service. This reasoning is not only arbitrary but also illegal in as much as GO.Ms.No.562, clearly provides that an employee stagnated in the post beyond 30 years i.e., employee serving with 10 years in the Special Grade should be granted one bonus increment. The petitioner was stagnated in Special Grade for over 10 years and he is



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entitled to bonus. Therefore, the order impugned has been challenged by him.

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6. The respondents have filed a counter affidavit inter alia contending that after issuance of GO.Ms.No.562, the Government had issued certain clarifications in Letter (MS).No.168, School Education dated 11.10.2001, with regard to implementation of the said GO to teachers. In the said letter, it has been clarified that prior to 01.06.1988, the posts of Secondary Grade Teacher and Primary School Headmaster carried identical scale of pay. After 01.06.1988, the post of Primary School Headmaster with higher scale had become promotion post to the post of Secondary Grade Teacher. Those who have rendered service in the post of Secondary Grade Teacher prior to 01.06.1988 and rendered service in the post of Primary School Headmaster after 01.06.1988 and their total service in the post of Primary School Headmaster is reckoned as 30 years and who were awarded Special Grade in the post of Primary School Headmaster, were not entitled to one bonus increment. They would contend that the petitioner has not worked continuously as a Primary School Headmaster for 30 years. Therefore, they would



submit that the petitioner is not entitled to the relief in the writ petition and the same should be dismissed.

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7. Heard the learned counsels on the either side and perused the records.

8. A perusal of GO.Ms.No.562, would show that a One Man Commission had been constituted by the Government for considering the representation of the employees' association for opening an avenue namely, Super Grade or Senior Grade for those employees who had completed 30 years of service. Based on the recommendation of the One Man Commission, the Government had ordered in GO.Ms.No.562 as follows:

“2.The Government after careful examination of the recommendations of the One Man Commission has decided to accept it. Accordingly, Government directs that employees stagnating in a post beyond 30 years i.e., employees stagnating the Special Grade beyond 10 years be granted with one bonus increment as an incentive.

3.These orders shall take effect from 1st September 1998.



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9. Admittedly, the petitioner had retired from service on 31.05.2003. The petitioner had been appointed as a Primary School Headmaster on 11.08.1982 and had been granted Special Grade to the said post on 01.06.1988. The petitioner continued in the very same post till the date of his retirement. Therefore, in the light of paragraph No.2 of GO.Ms.No.562, the petitioner is entitled to one bonus increment as an incentive.

10. Accordingly, this writ petition is allowed and the impugned order passed in Na.Ka.No.0615/Aa1/2022 dated 26.04.2022 is quashed. The respondents shall sanction one bonus increment as per GO.Ms.No.562, as provided in the said GO, within a period of 1 month from the date of receipt of a copy of this order. No costs.

17.12.2025

Index : Yes/No
Internet : Yes/No

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To

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