



W.A.No.3394 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

W.A.No.3394 of 2019
and C.M.P.Nos.21819 of 2019 & 3623 of 2021

1.The Government of Tamil Nadu,
Rep. by the Secretary to Government,
School Education Department,
Fort St.George, Chennai – 600 009.

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

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

4.The Addl. Assistant Elementary Educational Officer,
Bhavanisagar Panchayat Union,
Bhavanisagar, Erode.

... Appellants

Vs.

1.A.Chinnaraj

2.K.Ponnusamy

3.V.Duraisamy

... Respondents



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Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, seeking to set aside the order dated 10.06.2015 in WP.No.16342 of 2015 and allow the Writ Appeal.

For Appellants : Mr.R.Neethiperumal,
Government Advocate

For Respondents : Mr.R.Saseetharan

JUDGMENT

(Judgment of the Court was made by *M.S.RAMESH, J.*)

The present Writ Appeal is one among the batch of Writ Appeals wherein the issue with regard to the entitlement of the teachers to be promoted as Primary School Headmaster after the cut off date i.e. 01.06.1988 could be extended to them by virtue of G.O.Ms.No.207, School Education (G2) Department, dated 30.09.2008, or not. In one batch, namely in the case of '**Government of Tamil Nadu, School Education Department Vs. V.N.Kalisamy & others**' in WA.Nos.2857 of 2019 etc. batch, the Writ Appeals preferred by the Government were



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rejected through order dated 13.07.2023. The relevant portion of the order reads as follows:-

..... *“18. As has been narrated herein above, the issue raised in this batch of cases is no more res integra. The benefits which are to be conferred for those who earned the promotion as Primary School Headmaster after the cut-off date i.e. 01.06.1988 also have been extended to them by virtue of G.O.Ms.No.207 and the import of G.O. has already been quoted herein above.*

19. However, diagonally opposite to the said import of the G.O., an interpretative proceeding was issued by the Director of School Education Department dated 23.07.2010, when it was questioned, it was rightly held by this Court right from 2012 that, the said proceedings is not in consonance with the said G.O.(Ms).No.207, therefore those who were promoted as Primary School Headmasters after 01.06.1988 are entitled to get such benefit by virtue of G.O.(Ms).No.207 and such benefits seems to have been conferred to some of them.



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20. Atleast against one judgment passed by the Writ Court when intra-Court appeal was preferred before this Court by the appellant Department that was dismissed, of course, on the default ground against which no steps have been taken and this factor has been recorded by the Co-ordinate Bench in the decision dated 05.07.2023 in W.A.No.37 of 2018.

21. Therefore the issue has been settled and concluded where those teachers who were initially working as Secondary Grade Teachers and subsequently earned promotion as Primary School Headmaster after 01.06.1988 are entitled to get the benefit of Selection Grade and Special Grade and accordingly the pay has to be necessarily revised, therefore based on the revised pay what are all the arrears of pay shall be paid to them and correspondingly their pension also to be revised and after revision of pension, the arrears of pension also shall be paid to them and they are entitled to continuously receive the same till their lifetime.



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22. Insofar as this benefit conferred on them is concerned, absolutely there can be any quarrel as the issue raised, as stated supra, has been settled. Therefore following the earlier judgments passed by this Court including the latest one of the Co-ordinate Bench dated 05.07.2023, we are inclined to dispose of these writ appeals as well as the writ petitions to the following effect:

(i) That the Writ Appeals in W.A.Nos.2857 of 2019, 1038 of 2017, 944 of 2017, 1663 of 2018, 1766 of 2018, 671 of 2018, 688 of 2018, 704 of 2018, 3738 of 2019, 3166 of 2019 and 957 of 2019 are deserved to be dismissed, accordingly they are dismissed and the writ petitions in W.P.Nos.25680 of 2011, 8962 and 8963 of 2011, 21852 of 2014, 15496 of 2014, 2112 of 2015, 22175, 22176, 22177, 22178, 22179, 22180, 22181, 22182 of 2015, 24456 of 2015, 12990 of 2016 and 22176 of 2021 are allowed.

(ii) As a sequel, the respective retired 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



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calculated and be paid to the respective retired Teachers/Primary School Headmasters by the appellant Department within a period of three months from the date of receipt of a copy of this judgment.

23. With the above observations and directions, all these Writ Appeals and Writ Petitions are disposed of to the terms indicated above. No costs. Consequently, connected miscellaneous petitions are closed.”

2. It is not in dispute that the present Writ Appeal is squarely covered under the aforesaid batch of cases. As such, the order passed in the Writ Petition which is impugned in the present Writ Appeal, does not require interference.

3. Accordingly, the Writ Appeal stands dismissed. In view of the dismissal of the Writ Appeal, the appellants herein shall pass appropriate orders for arrears of the salaries, as well as for revision of pensionary benefits and disburse the same to the respondents herein, atleast within a



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period of three (3) months from the date of receipt of a copy of this order.

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No costs. Connected miscellaneous petitions are closed.

[M.S.R, J.]

[R.S.V, J.]

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Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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