



W.P.(MD)No.2906 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.2906 of 2021

P.Thangiah

: Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Education Department,
Secretariat, Chennai.

2.The Principal Accountant General (A&E),
Office of the Principal Accountant General (A&E),
361, Anna Salai,
Chennai – 600 018.

3.The Director of School Education,
College Road,
Chennai – 6.

4.The Chief Educational Officer,
Dindigul District,
Dindigul.



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5. The District Educational Officer,
Dindigul Educational District,
Dindigul.

6. The Head Master,
Devangar Higher Secondary School,
Chinnalapatti,
Dindigul District – 624 301.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, has been filed to call for the records pertaining to the impugned order in No.P24/3/12422612/ADK dated 06.01.2021 on the file of the second respondent and quash the same as illegal and consequently for a direction, directing the second respondent to sanction the revised pensionary benefits to the petitioner in the light of the Full Bench judgment in Rev.Application No.227 of 2015 dated 09.12.2016 and W.P.(MD)No.10265 of 2013 dated 17.08.2020.

For Petitioner	: Ms.Rohini M/s.Roy & Roy Associates
For Respondents 1, 3 to 5	: Mr.S.Shaji Bino, Special Government Pleader
For Respondent No.2	: Mr.P.Gunasekaran Standing Counsel



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ORDER

This Writ Petition has been filed challenging the impugned order dated 06.01.2021 passed by the second respondent, rejecting the petitioner's request to sanction the revised pensionary benefits to him in the light of the Full Bench judgment of the Madras High Court in Review Application No.227 of 2015 dated 09.12.2016 and W.P. (MD)No.10265 of 2013 dated 17.08.2023.

2.The petitioner relies upon G.O.Ms.No.216 dated 22.03.1993, for the purpose of claiming revised pensionary benefits. G.O.Ms.No.216 dated 22.03.1993 was subject matter of interpretation by the Full Bench of this Court in Review Application No.227 of 2015 dated 09.12.2016. The Full Bench in paragraph No.38 has issued directions while interpreting G.O.Ms.No.216 dated 22.03.1993. The relevant direction applicable to the facts of the instant case is direction No.1 in paragraph No.38, which reads as follows:

“38(1). The Government is directed to implement G.O.Ms.No.216, dated 22.03.1993, for the period between 01.06.1988 and 31.12.1995, on and from 01.03.2017 onwards in



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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.”

3. Admittedly, the petitioner was appointed as a Secondary Grade Teacher on 19.06.1961 and he was awarded selection grade and special grade in the category of secondary grade teacher on 01.04.1974 and 23.12.1981, respectively. Therefore, even before the period 01.06.1988 and 31.12.1995 stipulated by the Full Bench of this Court, the petitioner having awarded selection grade and special grade respectively, in the category of secondary grade teacher, G.O.Ms.No.216 dated 22.03.1993, has no applicability for the case of the petitioner. The petitioner also relies upon the order dated 17.08.2020 passed by the learned Single Judge of this Court in the Writ Petition filed by the petitioner in W.P.(MD)No.10265 of 2013, seeking for the very same relief. Admittedly, the necessary parties for the effective adjudication of the said Writ Petition were not parties in the said Writ Petition. Necessarily, the Principal Accountant General's office, the second respondent in this Writ Petition was a necessary party to the effective adjudication of the



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earlier writ petition filed by the petitioner which came to be allowed by the learned Single Judge of this Court on 17.08.2020 in W.P. (MD)No.10265 of 2013.

4.It is also not pleaded in the affidavit filed in support of this Writ Petition as to whether the petitioner had filed any contempt petition for the alleged disobedience of the order dated 17.08.2020 passed in W.P.(MD)No.10265 of 2013. Learned Counsel for the petitioner is also unable to inform this Court as to whether any Contempt Petition was filed for the alleged disobedience of the order dated 17.08.2020 passed in W.P.(MD)No.10265 of 2013. For the reasons best known to the petitioner, it is not pleaded in the affidavit filed in support of this Writ Petition as to why the Contempt Petition was not filed for the alleged disobedience of the order dated 17.08.2020 passed in W.P.(MD)No.10265 of 2013. Both on the ground that the necessary party namely second respondent in this Writ Petition was not a party to the earlier Writ Petition filed by the petitioner in W.P.(MD)No.10265 of 2013 and also on the ground that no pleading has been made in the affidavit filed in support of this Writ Petition as to the details of the Contempt Petition if any filed by the petitioner for the alleged disobedience of the order dated 17.08.2020 passed in W.P.(MD)No.10265 of 2013, this Court has to



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necessarily reject the contentions of the petitioner as raised in this Writ Petition.

5.Further, in the Full Bench decision dated 09.12.2016, the Full Bench of the Madras High Court has also made it clear in Direction No.4 in paragraph No.38 that the benefits shall be extended only to the parties who are before the Court alone and that no fresh Writ Petitions can be entertained on and from 09.12.2016. This Writ Petition was filed only in the year 2021, which is beyond the cut-off date ie., 09.12.2016 fixed by the Full Bench. Only by applying the ratio with regard to interpretation of G.O.Ms.No.216 dated 22.03.1993, which has been interpreted by the Full Bench of this Court, the impugned order dated 06.01.2021, came to be passed by the second respondent. This Court does not find any infirmity in the same.

6.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

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Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR

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- To
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ABDUL QUDDHOSE., J.

MR

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