



WEB COPY



WP(MD)No.9484 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.10.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

W.P.(MD)No.9484 of 2025 &
WMP (MD).No.7082 of 2025

G.Ponselvi

... Petitioner

/vs./

- 1.The Director of Elementary Education,
DPI Campus,
Chennai – 6.
- 2.The District Educational Officer (Elementary),
Sivakasi,
Virudhunagar District.
- 3.The District Educational Officer (Elementary),
Virudhunagar,
Virudhunagar District.
- 4.The Block Educational Officer,
Vembakottai,
Virudhunagar District.
- 5.The Block Educational Officer,
Arupukkottai,
Virudhunagar District.
- 6.The Correspondent,
CSI Primary School,
Madhangkovilpatti,
Vembakottai Union,
Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in O.Mu.No.3100/A1/2024, dated 30.10.2024 on the file of the respondent No.2 and quash the same as illegal and consequently for a direction, directing the respondents to grant selection grade of pay in the post of Secondary Grade Teacher to the petitioner by including the past service rendered by the petitioner in the 6th respondent Aided School Management along with service rendered by the petitioner in the Panchayat Union Primary School in the light of the Government Order in G.O.Ms.No.992, Education Department, dated 22.06.1979 within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.N.Satheesh Kumar A.G.P., for RR1 to R5

ORDER

The Writ Petition had been filed to quash the impugned order dated 30.10.2024, passed by the second respondent and to direct the respondents to grant selection grade of pay in the post of Secondary Grade Teacher to the petitioner by including the past service rendered by him in the 6th respondent Aided School Management along with service rendered by the petitioner in the Panchayat Union Primary School in the light of the Government Order in G.O.Ms.No.992, Education Department, dated 22.06.1979, within the time stipulated by this Court.



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2. I have heard the learned counsels appearing on either side and perused the materials placed on record.

3. By the order impugned herein, the claim of the petitioner for counting his previous service in an aided school had been rejected on the ground that the petitioner had resigned from services of the aided school and therefore, the services rendered by him in the said aided school had been forfeited.

4. The issue involved in this Writ Petition is no longer *res integra*, as the Division Bench of this Court in W.A.No.3055 of 2019, dated 10.07.2023 confirming the order of the learned Single Judge had held that the period of service rendered in a private aided school, even though resigned would have to be taken into consideration for grant of selection grade. The Division Bench of this Court had also relied upon the Government orders passed in that regard. Therefore, this Court is of the view that the said judgment would squarely apply to the present facts of the case and in such view of the matter, the impugned order is liable to be set aside.

5. In fine, the Writ Petition is allowed and the order impugned herein is set aside, however, with a direction to the respondents to also count the services of



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the petitioner in the sixth respondent aided school along with the services rendered by the petitioner in the Panchayat Union Primary School and grant her Selection Grade and Special Grade accordingly. However, there shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

16.10.2025

Index : Yes / No
Internet : Yes / No
pbn



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K.KUMARESH BABU, J.

Gba

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