



W.P.(MD).No.8794 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.8794 of 2023

and

W.M.P.(MD).Nos.8035 & 8036 of 2023

P.Rajalingam

... Petitioner

Vs

1. The State of TamilNadu
represented by
The Secretary to Government,
School Education Department,
Secretary,
Chennai-9.

2. The Director of School Education,
College Road,
Chennai-6.

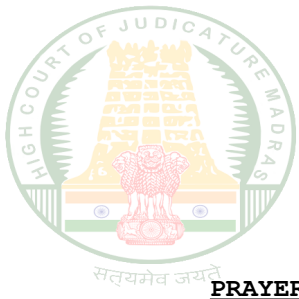
3. The Branch Officer,
The Office of the Principal Accountant General (A&E),
TamilNadu,
361, Anna Salai,
Chennai-600 018.

4. The Chief Educational Officer,
Tiruchirappalli.

5. The Block Level Educational Officer,
Musiri Block, Tiruchirappalli District.

... Respondents

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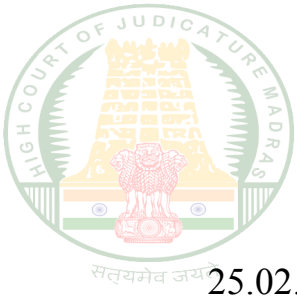
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 5th respondent in his proceedings in Na.Ka.No.2445/A2/2018 dated 25.01.2023 and quash the same and consequently pay the selection grade and special grade scale pay of the petitioner with effect from the date of completion of 10 years and 20 years respectively and pay the revised pension on the basis of the above payment of Selection Grade and Special Grade Scale of Pay.

For Petitioner : Mr.D.Selvanayagam
For Respondent Nos.1,2,4 & 5 : Mr.N.Satheesh Kumar
Additional Government Pleader
For Respondent No.3 : M/s.S.Mahalakshmi
Standing Counsel

ORDER

The instant writ petition has been filed by a retired middle school Headmaster, challenging the order of the fifth respondent dated 25.01.2023 and consequently pay selection grade and special grade pay to the petitioner and pay the revised pension on the basis of the above said benefits.

2. A perusal of the impugned order reveals that the order is passed based upon the order of the third respondent dated 25.02.2020 and it is not an independent order. A perusal of the order passed by the third respondent on



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25.02.2020 reveals that the petitioner is not eligible for pay arrears as per G.O.Ms.No.90, School Education Department, dated 09.05.2018. As per the said Government Order, pension arrears need to be paid from March 2017 and no benefits is due to the petitioner and therefore, the proposals have been returned.

3. The petitioner has made extensive submissions before this court and contended that he is entitled for the benefits as per the said Government Order.

4. This Court without going into the merits of this case is inclined to pass the following order :

a) The petitioner is directed to submit a detailed explanation to the fifth respondent within a period of two weeks from the date of receipt of a copy of this order.

b) On receipt of the same, the fifth respondent is directed to forward the same to the third respondent.



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c) The third respondent is directed to consider the explanation submitted by the writ petitioner and pass fresh orders on merits and in accordance with law within a period of twelve weeks thereafter.

5. With the above said observations, this writ petition is disposed of.
No costs. Consequently, connected miscellaneous petitions are closed.

30.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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