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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1627 of 2026

and

C.M.P.No.14905 of 2026

1. The Government Of Tamil Nadu
Rep. by the Secretary to Government
School Education Department,
Fort St. George,
chennai-600009
2. The Director Of Elementary Education
College Road,
Chennai-6.
3. The District Elementary Educational Officer
Nagapattinam District,
Nagapattinam.
4. The Assistant Elementary Educational Officer
Thalainayiru Panchayat Union,
Thalainayiru,
Nagapattinam District

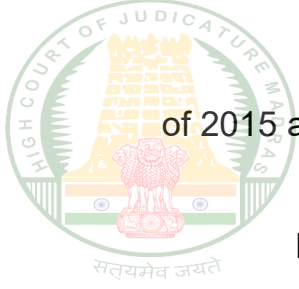
..Appellant(s)

Vs

G Sundaravelu
S/o. Govindasamy,
Primary School Head Master (Retd)
No.1/127, Mela Street,
Naluvethapathi Post,
Vedharanyam Taluk
Nagapattinam District-611112

..Respondent(s)

Writ Appeal filed under Clause 15 of Letters Patent to allow the writ appeal and set aside the Order dated 02.08.2023 made in WP.No. 2968



of 2015 and allow the above writ appeal.

For Appellant(s): Dr.R.Gouri, Government Counsel

For Respondent(s): Mr.R.Saseetharan

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JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

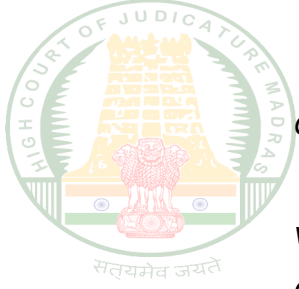
The writ appeal has been instituted challenging the order dated 02.08.2023 passed in W.P.No.2968 of 2015.

2. The learned Government counsel would submit that the issues raised in the present writ appeal is no more *res integra*. The issues have been decided by the Division Bench of this Court, vide judgment dated 10.07.2024 in W.A.Nos.3083 of 2019 etc. batch wherein, the Division Bench has passed the following orders.

2. The Writ Court considered the claim of the respondents therein and held the order passed by the Director of Elementary Education, Chennai, dis-entitling them to avail the benefits granted by the Government in G.O.Ms.No.207, School Education Department, dated 30.09.2008, G.O.Ms.No.185 dated 16.12.2002. G.O.Ms.No.212, dated 07.08.2000 and G.O.Ms.No.238, dated 26.06.1998, as unsustainable.

3. Mr.U.M.Ravichandran, learned Special Government Pleader appearing on behalf of the appellant State would submit that the Writ Court has not considered the fact that few employees are not eligible to avail the benefits in view of the fact that they have already availed the benefits by virtue of other Government Orders.

4. Double monetary benefits are impermissible and therefore, the order, if implemented, would result in financial loss to the State Exchequer. Further, there is a possibility of availing



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double benefits by few employees.

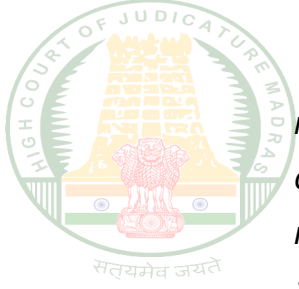
5. The doubt arose in the mind of the State in this regard in view of the fact that the learned Single Judge has set aside the order passed by the Director of Elementary Education and thereafter, directed the Director of Elementary Education to consider the claim of the petitioners in light of G.O.Ms.No.207, School Education, dated 13.09.2008 and the other Government Orders as aforesaid. After setting aside the order of rejection passed by the Director of Elementary Education, the Writ Court directed the Authorities to consider the case of the employees in the light of the Government Orders.

6. The spirit of the order would go to say that the Government Orders are to be implemented and the benefits are to be extended as per the terms stipulated in the Government Orders. The Writ Court has not expressly stated that all the employees are eligible to seek monetary benefits, if they have already availed the benefits under other Government Orders. That was not the order passed by the Writ Court.

7. The Writ Court, in clear terms, directed the Director of Elementary Education to consider the claim of the respondents in light of the various Government Orders. Therefore, the Department has to ascertain the eligibility of the individual employees, whether those employees have already received the benefits or not and accordingly grant the benefits and by following due process.

8. The opinion of the Writ Court expressed is to grant benefits to the employees in accordance with the Government Orders, issued in G.O.Ms.No.207 dated 30.09.2008 and the other Government Orders referred in the Writ order. More so, the Writ Court has issued directions to consider the case of all the employees. Therefore, the Authorities are empowered to scrutinize the eligibility and take a decision on merits and in accordance with law.

9. This being the scope of the Writ order, we do not find any



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reason to overturn the Writ order impugned. With the above clarifications, these writ appeals are disposed of. There shall be no order as to costs. Consequently, C.M.P.Nos.19623, 19652, 19704, 19707, 19750, 19755, 19783, 19787, 19711 and 19626 of 2019 are closed.

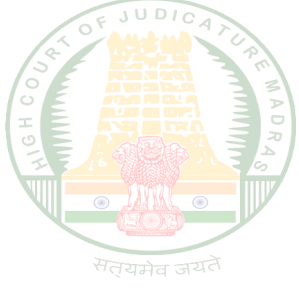
3. Since the issue is squarely covered by the judgment referred to above, this Court is not inclined to interfere with the order impugned. The authorities are directed to scrutinize the eligibility of the respondent herein and take a decision on merits and in accordance with law. Accordingly, the Writ Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (N.S.,J.)
23-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VSI

To
G Sundaravelu
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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

vsi

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