IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.15828 of 2015

1.N.Mallika
2.Mrs.R.Baby Sugirtha ...Petitioners

Vs.

1. Government of Tamil Nadu,
   Rep. by its Secretary
   School Education Department,
   Fort St.George, Chennai 600 009.

2. The Director of School Education,
   Office of the Directorate of School Education
   DPI Campus,
   Chennai 600 006.

3. The Joint Director of Vocational Instructors,
   Office of the Directorate of Vocational Instructors,
   DPI Campus,
   Chennai 600 006.

4. Accountant General (A & E),
   Office of the Principal Accountant General,
   Tamil Nadu, Chennai 600 018. ...Respondents

Prayer:
Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing respondents to include the service rendered by the petitioner from initial appointment till regularization for the pension purpose.

For Petitioners : Mr.Venkataswamybabu

For Respondents : Mr.S.Gunasekaran
Government Advocate

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O R D E R

Heard both sides. Mr.S.Gunasekaran, learned Government Advocate takes notice for the respondents. By consent of both the parties the writ petition is taken up for final disposal.

2.The petitioners joined as Single Part Time Vocational Teacher on 17.07.1979 and 06.12.1979 respectively and their services were regularised on 10.06.2002 and 12.11.1997 respectively. The date of their retirement is 30.09.2014 and 30.06.2007 respectively.

3.The grievance of the petitioners is that 50% of their service rendered before regularisation was not taken into account as per section 11(2) of the Tamil Nadu Pension Rules read with orders of this Court dated 19.02.2014 passed in W.P.Nos.4486 of 2014, 4485 of 2014 and 4506 of 2014. Hence, they sent representation through registered post on 29.10.2014 (postal receipts enclosed in the typed set) to the respondents seeking to count 50% of the service rendered before regularisation for the purpose of pension in the light of the Tamil Nadu Pension Rules and the judgment referred to above.

4.In view of the limited prayed made, the writ petition is disposed of directing the respondents to pass orders on the representations of the petitioners in the light of the Tamil Nadu Pension Rules and the judgment referred to above, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary
   School Education Department,
   Fort St.George, Chennai 600 009.

2. The Director of School Education,
   Office of the Directorate of School Education
   DPI Campus, Chennai 600 006.

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3. The Joint Director of Vocational Instructors,
   Office of the Directorate of Vocational Instructors,
   DPI Campus,
   Chennai 600 006.

4. Accountant General (A & E),
   Office of the Principal Accountant General,
   Tamil Nadu, Chennai 600 018.

1 CC to Mr.Venkataswamybabu, Advocate SR.No. 26846

1 CC to the Government Pleader, SR.No. 27187

W.P.No.15828 of 2015

KK (CO)
PSI (17.06.2015)

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