

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.17456 of 2015

J.Manassay

...Petitioner

vs.

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

2.The Director of Pensions,
Directorate Office,
Greams Road, Chennai - 6.

3.The District Educational Officer,
The Nilgiris District,
The Nilgiris.

4.The Assistant Educational Officer,
Coodalur,
The Nilgiris District.

5.The Head Master,
Aided Elementary School,
Seaforth Estate,
Seaforth Post,
The Nilgiris.

6.The Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.

(This Court suo moto impleaded
sixth respondent on 18.06.2015)

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the respondents herein to sanction minimum pension to the petitioner and disburse the same from the date of his retirement dated 31.10.1970 as per G.O.Ms.No.1015 Education Department, dated 05.06.1981.

For Petitioners : Mr.P.Immanuel Prakasam
For Respondents : Mr.K.V.Dhanapalan,
Additional Government Pleader

O R D E R

Seeking a direction to the respondents 1 to 5 to sanction minimum pension to the petitioner and disburse the same from the date of his retirement on 31.10.1970, as per G.O.Ms.No.1015 Education Department, dated 05.06.1981, the petitioner is before this Court with this writ petition.

2.The petitioner joined as a Teacher on 20.01.1958 in an aided school and she resigned her job on 01.11.1970. She rendered 11 years of service. Now, the petitioner seeks pension for the service rendered by her relying on G.O.Ms.No.1015 Education Department, dated 05.06.1981.

3.In my considered opinion, the Secretary to Government, School Education Department, Fort St. George, Chennai, is the competent person to pass orders in this matter. Hence, I am inclined to suo moto implead him as sixth respondent in this matter. Accordingly, the Secretary to Government, School Education Department, Fort St. George, Chennai is suo moto impleaded as sixth respondent in this matter.

4.The learned counsel for the petitioner submitted that already the petitioner has made a representation in this regard to the Hon'ble Chief Minister Cell on 13.06.2011. In my considered opinion, the newly impleaded sixth respondent is the competent person to pass orders in this matter.

5.In these circumstances, the writ petition is disposed of with a direction to the petitioner to give fresh representation to the newly impleaded sixth respondent, within a period of two weeks from the date of receipt of a copy of this order and on such representation being received, the sixth respondent is directed to consider the same and pass orders as per G.O.Ms.No.1015 Education Department, dated 05.06.1981, in accordance with law, within a period of 12 weeks from the date of receipt of such representation. No costs.

Sd/-
Deputy Registrar

True Copy

Sub Assistant Registrar

To

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

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Directorate Office,
Greens Road, Chennai - 6.

3.The District Educational Officer,
The Nilgiris District,
The Nilgiris.

4.The Assistant Educational Officer,
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The Nilgiris District.

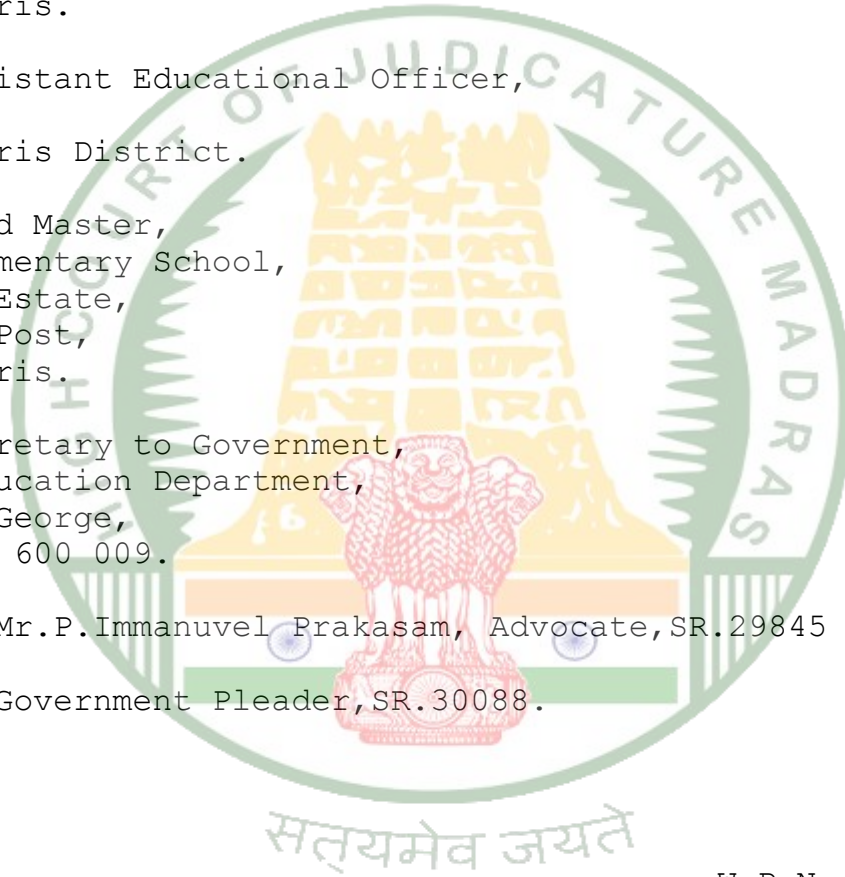
5.The Head Master,
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6.The Secretary to Government,
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Fort St. George,
Chennai - 600 009.

+1 cc to Mr.P.Immanuvel Prakasam, Advocate,SR.29845

+1 cc to Government Pleader,SR.30088.

Kgk(co)
krd 25/6



W.P.No.17456 of 2015

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