

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.22757 of 2015

Tmt.C.Kanakamma

... Petitioner

Vs.

1. Director of School Education,
Chennai - 600 006,

2. Chief Educational Officer,
Chennai - 600 015,

3. District Educational Officer,
Chennai - 600 008,

4. The Correspondent,
Kesari Higher Secondary School,
2, Giriappa Road, T.Nagar,
Chennai - 600 017.

.... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the respondents to settle the terminal benefits to the petitioner such as death cum retirement gratuity, encashment of earned leave, provident fund and special provident fund and pension by considering the representation dated 16.6.2015 made by the petitioner.

For Petitioner : Mr.P.Ganesan

For Respondents : Mr.S.Gunasekaran,
Govt.Advocate

ORDER

This writ petition has been filed by Tmt.C.Kanakamma seeking a limited prayer for directing respondents to settle the terminal benefits to the petitioner such as death cum retirement gratuity, encashment of earned leave, provident fund and special provident fund and pension by considering the representation dated 16.6.2015 made by the petitioner.

2. The petitioner joined as Record Clerk in the 4th respondent School in 1965 and subsequently he was promoted as Junior Assistant. He was placed under suspension on 15.2.2001 and by subsequent order dated 11.10.2002, the 4th respondent School Management passed an order of compulsory retirement. The petitioner made a representation on 16.6.2015 to the 4th respondent seeking terminal benefits. However, no order has been passed. Hence, the present writ petition has been filed.

3. Learned counsel appearing for the petitioner would submit that since the petitioner was compulsorily retired he is entitled to get death cum retirement gratuity, encashment of earned leave, provident fund and special provident fund and pension. Therefore, a direction may be issued to the respondents to consider the representation made by the petitioner and pass orders.

4. Heard the learned Government Advocate appearing for the respondents.

5. This Court, without going into the merits of the matter, directs the 4th respondent to forward the petitioner's representation dated 16.6.2015 to the 3rd respondent - District Educational Officer, Chennai within a period of three weeks from the date of receipt of copy of this order along with remarks, if any. On receipt of the petitioner's representation along with marks if any from the 4th respondent, the 3rd respondent - District Educational Officer, Chennai - 600 008 shall consider the petitioner's representation dated 16.6.2015 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1. Director of School Education,
Chennai - 600 006,

2. Chief Educational Officer,
Chennai - 600 015,

3. District Educational Officer,
Chennai - 600 008,

4. The Correspondent,
Kesari Higher Secondary School,
2, Giriappa Road, T.Nagar,
Chennai - 600 017.

1 cc to M/s.C.S.Associates , Advocate Sr.No.38645

1 cc to Government Pleader.Sr.No.39110

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ctk(co)
pmk.7.8.2015



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