

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 11.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24722/2015

V.Shemasundari

... Petitioner

Versus

1. The Secretary  
State of Tamilnadu  
Finance Department  
Secretariat, Fort St George  
Chennai 600 009.

2. The Secretary  
State of Tamilnadu  
School Education Department  
Secretariat, Fort St George  
Chennai 600 009.

3. The Director of School Education,  
DPI Campus, College Road,  
Chennai 600 006.

4. The Commissioner,  
Data Centre, Kotturpuram  
Chennai.

5. The Headmaster  
Government Higher Secondary School  
Bala Samudram, Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to settle the retirement benefits payable to the petitioner as on the date of retirement on 31.05.2015 and benefits under Contributory Pension Scheme along with interest for any delay in payment by considering the representation submitted by the petitioner dated 24.06.2015 within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For R1 to R5 : Mr.R.Vijayakumar, AGP

O R D E R

By consent, the writ petition is taken up for final disposal.

2. In the affidavit filed in support of this writ petition, the petitioner would aver that she was appointed as B.T. Assistant in the Tamilnadu School Educational Service through the Teachers' Recruitment Board [TRB] in the selection conducted during the year 2006-2007. The petitioner was appointed in the services of the 5<sup>th</sup> respondent / School on 27.09.2007 and she worked in the post of B.T. Assistant [Social Science] till she reached the age of superannuation on 31.05.2015. The petitioner, during the course of employment, was assigned with an account number for Contributory Pension Scheme in CPS A/c.No.7034952 and deductions were also made from her salary towards the said scheme. The grievance expressed by the petitioner is that though she has retired from the service as early as on 31.10.2014 and that she was allowed to continue in service till the completion of the academic year upto 31.05.2015, the amount deducted and credited to Contributory Pension Scheme, has not been given to her and in this regard, she has submitted a representation dated 24.06.2015, to the 5<sup>th</sup> respondent/Headmaster and since, no response is forthcoming from either of the respondents, the petitioner came forward to file this writ petition.

3. This Court heard the submissions of the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 2 and 3.

4. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the 5<sup>th</sup> respondent to forward the petitioner's representation dated 24.06.2015 to the concerned respondent for further course of action, if the papers are otherwise in order and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and the respondent concerned, on receipt of the same, is directed to process the proposal and pass necessary orders within a further period of six weeks thereafter and communicate the decision taken, to the petitioner.

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

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary  
State of Tamilnadu  
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Secretariat, Fort St George  
Chennai 600 009.
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Chennai.
5. The Headmaster  
Government Higher Secondary School  
Bala Samudram, Dindigul District.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.42659  
+1cc to the Government Pleader, S.R.No.41982

W.P.No.24722/2015

LRS (CO)  
CA(02/09/2015)

सत्यमेव जयते

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