

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.2.2014

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.28765 of 2014

V.Balaguru

.. Petitioner

Vs.

1. The Government of Tamil Nadu
Rep.by its Secretary,
Finance Department, Fort St.George
Chennai -600 009
 2. The Secretary,
Government of Tamil Nadu
School Education Department,
Fort St.George, Chennai - 600 0 09
 3. The Accountant General (Pension)
Teynampet, Chennai
 4. The Director of School Education
DPI Complex, Nungambakkam, Chennai
-Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus directing the respondents to count 50% of service of petitioner rendered in consolidated pay from the original date of appointment along with regular service for the purpose of pension in the light of the judgment dated 16.04.2009 in W.P.No.39177 of 2002 and grant all monetary benefits including pension and gratuity.

For Petitioner : Mr.T..Aananthi
For R1, R2 and R4 : Mr.M.S.Ramesh
Addl. Govt. Pleader
For R3 : Mr.Vijay Shankar

O R D E R

The petitioner is presently working as Vocational Instructor in Government Boys Hr.Secondary School, Kandachipuram in the District of Villupuram. The petitioner earlier worked as Double Part time Vocational Instructor for the period from 06.01.1987 to 16.10.1992. While regularising his service, earlier period was not taken into account. The petitioner therefore submitted a representation on 23.04.2014 requesting the respondents to count 50% of the earlier service along with regular service for

the purpose of fixing pension and other related benefits. The petitioner now seeks a direction to the respondents to consider the representation on merits.

2. The fourth respondent is directed to consider the representation of the petitioner dated 23.4.2014 in the light of the order dated 16.4.2009 in WP.No.39177 of 2002 and the Judgment dated 20.9.2010 in W.A.No.1702 of 2010. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

3. The writ petition is disposed of with the above direction. No cost.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Finance Department, Fort St.George
Chennai -600 009

2. The Secretary,
Government of Tamil Nadu
School Education Department,
Fort St.George, Chennai - 600 0 09

3. The Accountant General (Pension)
Teynampet, Chennai

4. The Director of School Education
DPI Complex, Nungambakkam, Chennai

1 cc to Mr. Vijay Shankar, Advocate, SR.No.10880

1 cc to Mr. T..Aananthi, Advocate, SR.No.10431

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scd(co)

pmk.12.3.2015