

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31372/2015 & MP.No.1/2015

S.Pitchaiammal

..Petitioner

Versus

1. The Government of Tamil Nadu
Rep.by its, Secretary,
School Education Department
Fort St George, Chennai - 600 009.
2. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
3. The Chief Educational Officer
Trichirapalli, Trichirapalli District.
4. The District Educational Officer
Musiry, Trichy District.
5. The Headmaster
Government Hr.Sec.School, Poovalur
Trichy District.
6. The Accountant General of Tamil Nadu [A&E]
Teynampet, Chennai 600 018.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents 2 to 6 to pay selection Grade from 18.07.2002, Special Grade pay from 18.07.2012 and pension from 01.05.2012 and gratuity and along with other benefits as she was regularly appointed as Watch Woman by order dated 15.07.1992 and retired from service without any blemish on 30.04.2014 as certified by the 5th respondent.

For Petitioner : Mr.V.Krishnamurthy

For R1 to R5 : Mr.V.Subbiah,
Spl.GP

For R6 : Mr.V.Vijayshankar

ORDER

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

2. The petitioner was initially appointed as Part-time Sweeper in Government High School on 02.11.1987 and based on G.O.Ms.No.528, Personnel and Administrative Reforms Department dated 10.10.1988, the petitioner was appointed as "Watch Woman" on full time basis with time scale of pay and on 30.09.1999, her services were regularised. However, the District Educational Officer, vide proceedings dated 25.08.2000, has temporarily cancelled the regularisation order granted on 18.09.1992 stating that she was over-aged. In this regard, additional particulars were also called for and in the interregnum, the petitioner has retired from service on 30.04.2014 on completion of 60 years of service. The grievance expressed by the petitioner is that though she has performed her duty from 18.07.1992 till the date of retirement on 30.04.2014 and that she was a regular employee and further that she was also paid with leave salary with annual increments, the selection grade scale of pay and the special grade scale of pay and so also the retiral benefits, have not been paid to her and in this regard, she has submitted a representation dated 30.05.2014 followed by a legal notice dated 16.06.2014 to all the respondents and since no orders have been passed, the petitioner came forward to file this writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 5 and Mr.V.Vijayshankar, learned counsel who accepts notice on behalf of the 6th respondent.

4, Though the petitioner has sought for a larger relief, this Court, in the light of the above facts and circumstances, directs the respondents 2 and 3 to consider and dispose of the petitioner's representation dated 30.05.2014 as well as the legal notice sent on behalf of the petitioner dated 16.06.2014 on merits and in accordance with law and pass orders within a further period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

AP

Sd/-

Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary,
Government of Tamil Nadu
School Education Department
Fort St George, Chennai 600 009.
2. The Director of School Education,
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Teynampet, Chennai 600 018.

+1 C.C. To MR.V.Krishnamurthy, Advocate in SR.NO.54010

+1 C.C. To Government Pleader, in SR.NO.54375

W.P.No.31372/2015

VGI (CO)
sd : 19/10/2015

सत्यमेव जयते

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