



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.19042 of 2015andM.P. (MD) No.1 of 2015

M.Arulmary Sriya Pushpam

... Petitioner

-vs-

- 1.The State of Tamil Nadu
rep.by its Secretary
Department of Finance (Pension)
Fort St.George, Chennai-600 009
- 2.The Accountant General
Office of the Accountant General
261, Annasalai, Chennai-600 018
- 3.The Director of School Education
College Road, Chennai-600 006
- 4.The Chief Educational Officer
Madurai
Madurai District-625 002
- 5.The Chief Educational Officer
Virudhunagar
Virudhunagar District-626 002
- 6.The District Educational Officer
Madurai, Madurai District
- 7.The Headmistress
Nirmala Girls Higher Secondary School
Madurai District
- 8.The Headmistress
Sacred Heart Girls Higher Secondary School
Srivilliputhur, Virudhunagar District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents herein to disburse forthwith the arrears of salary and other benefits including the pensionary benefits to the petitioner by placing her in the cadre of Senior Instructor Grade-II w.e.f, 12.11.1997 in terms of G.O.(4D) No.12 (School Education PaKa6(1) Department, dated 08.08.2014.



For Petitioner : Mr.Isaac Mohanlal

For Respondents : Mr.T.S.Mohammed Mohideen

Addl. Govt. Pleader for R1, R3 to R6 takes notice

Mr.P.Gunasekaran for R2 takes notice

WEB COPY

ORDER

Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, takes notice for the respondents 1, 3 to 6 and Mr.P.Gunasekaran, learned counsel takes notice for the second respondent. With the consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

2. Mrs.Arulmary Sriya Pushpam, who initially served as a part-time Vocational Instructor (Dress Designer), subsequently absorbed as a full-time Vocational Instructor, with effect from 12.11.1997, and retired from service on 31.05.2014, has filed this writ petition seeking a writ of mandamus to direct the respondents to consider her representation, dated 28.01.2015, wherein she sought for disbursement of arrears of salary and other retirement benefits including the pensionary benefits, admissible to her, with effect from 12.11.1997, in terms of G.O.(4D) No.12, School Education PaKa6(1) Department, dated 08.08.2014, within a reasonable time.

3. Admittedly, in the present case, the petitioner was initially appointed as a part-time Vocational Instructor (Dress Designer) in the seventh respondent School and absorbed as a full-time Vocational Instructor with effect from 12.11.1997. Thereafter, on attaining the age of superannuation, she was retired from service on 31.05.2014. In such circumstances, as per G.O.(4D) No.12, School Education PaKa6(1) Department, dated 08.08.2014, she is entitled to get all monetary and other benefits including pensionary benefits with effect from 12.11.1997.

4. Therefore, this Court hereby directs the fifth respondent / Chief Educational Officer, Virudhunagar, to consider the petitioner's representation, dated 28.01.2015, and disburse all monetary and other benefits including pensionary benefits admissible to her, in terms of G.O.(4D) No.12, School Education PaKa6(1) Department, dated 08.08.2014, within a period of four weeks from the date of receipt of a copy of this Order.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar.

krk



To:

1. The Secretary,
State of Tamil Nadu,
Department of Finance (Pension),
Fort St. George, Chennai-600 009.
2. The Accountant General,
Office of the Accountant General,
261, Annasalai, Chennai-600 018.
3. The Director of School Education,
College Road, Chennai-600 006.
4. The Chief Educational Officer,
Madurai,
Madurai District-625 002.
5. The Chief Educational Officer,
Virudhunagar,
Virudhunagar District-626 002.
6. The District Educational Officer,
Madurai, Madurai District.
7. The Headmistress,
Nirmala Girls Higher Secondary School,
Madurai District.
8. The Headmistress,
Sacred Heart Girls Higher Secondary School,
Srivilliputhur, Virudhunagar District.

+one cc to Mr. Isaac Mohanlal, Advocate in SR.NO.61813

+one cc to The Special Government Pleader in SR.No. 61694

W.P. (MD) No.19042 of 2015
and

M.P. (MD) No.1 of 2015
16.10.2015

CSL/ARK/04.11.2015
3P/11C