

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.7856 of 2014

C.Ramadoss

.. Petitioner

Vs.

1.State represented by its Secretary,
Higher Education Department,
Fort St. George, Chennai - 9.

2.Director of Legal Studies,
Purasaivakkam High Road,
Kilpauk,
Chennai - 10.

3.Secretary,
Department of Law,
Secretariat,
Chennai - 9.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 01.03.2010 and dispose the representation as per law and to fix his pension at Rs.23,200 in the minimum of the time scale Rs.37,400-67,000 plus AGP of Rs.9000 notionally from 1.1.2006 and monetary from 1.1.2007 with additional pension applicable to super seniors more than 80 years.

For Petitioner : Mrs.S.R.Sumathy
For Respondents : Mr.A.Kumar, SGP

ORDER

The prayer made in the writ petition is to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 01.03.2010 and dispose of the same as per law and to fix his pension at Rs.23,200/- in the time scale of pay of Rs.37,400-67,000 plus AGP of Rs.9000/- notionally from 1.1.2006 and monetary benefits from 1.1.2007 with additional pension as applicable to the super seniors, who are aged more than 80 years.

2. According to the petitioner, he is now aged about 90 years. He was initially appointed as Physical Director Grade II in the department of Collegiate Education and he joined the said post on 01.07.1954. Subsequently, he was deputed to the Department of Legal Studies and retired from service on attaining the age of superannuation on 30.04.1986, while he was working as Director of Physical Education (Selection Grade) in Dr. Ambedkar Government Law College, Chennai.

3. Now, the grievance of the petitioner is that he submitted many representations, last of which is dated 18.07.2016, to the respondents requesting to fix his pension at Rs.23,200/- in the time scale of pay of Rs.37,400-67,000/- + AGP 9000 and other benefits and the said representations have not been considered so far. Hence, he filed this writ petition for the above stated relief.

4. Learned Special Government Pleader appearing for the respondents produced a communication in Letter No.19677/F2/2010-10 dated 17.03.2014 received from the Deputy Secretary to Government, Higher Education (F2) Department, Secretariat, Chennai, wherein, it has been stated that the Director of Collegiate Education has sent a proposal to the Government on 12.05.2011 for revision of pension to the teachers, who retired prior to 1.1.1986 and on receipt of the same, the Government has sought for certain details from the Director of Collegiate Education and that, as and when a report is received from the Director of Collegiate Education, appropriate further action would be taken for revision of pension from 1.1.2006 to the teachers who retired prior to 1.1.1986.

5. In view of the above and also considering the age of the petitioner, who is now 90 years old, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 18.07.2016 and pass appropriate orders with regard to revision of pension payable to the petitioner, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Secretary,
Higher Education Department,
Fort St. George, Chennai - 9.

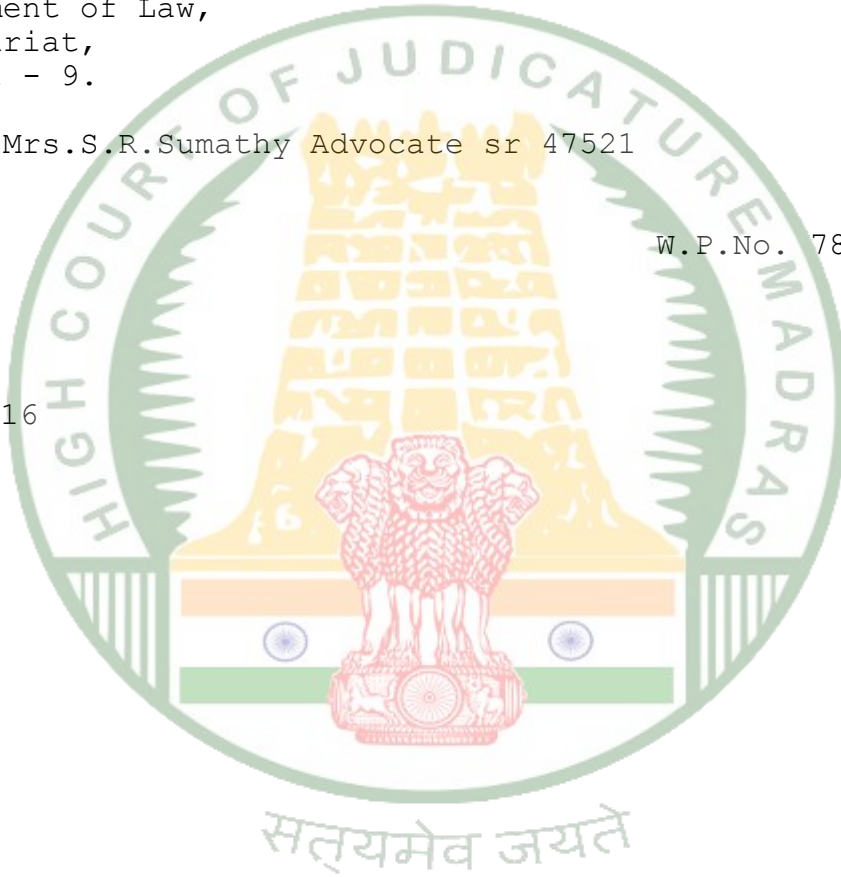
2. Director of Legal Studies,
Purasaiyakkam High Road,
Kilpauk,
Chennai - 10.

3. The Secretary,
Department of Law,
Secretariat,
Chennai - 9.

+7 ccs to Mrs.S.R.Sumathy Advocate sr 47521

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