

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.35774 of 2016

K.Aadhimoolam

... Petitioner

Vs.

1 The Principal Secretary to
Government of Tamilnadu,
Department of Education,
Secretariat, Fort St.George,
Chennai – 600 009.

2 The Accountant General
No.361, Anna Salai,
Chennai – 600 018.

3 The Chief Educational Officer,
Education Department,
B-Block, Sathuvachari,
Vellore – 9.

4 The Headmaster
Government Girls Higher Secondary School,
Kaveripakkam,
Arakkonam Taluk,
Vellore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pass appropriate orders on the application for revision of pension submitted by the petitioner vide letter dated 21.05.2012, through proper channel on merits and in accordance with law within a stipulated time in the

light of the letter No.44880/ Pay Cell/2009-1 dated 04.08.2009 and the letter No.41817/ Pay Cell/2009-1 dated 04.08.2009 both issued by the Principal Secretary to Government of Tamil Nadu Finance (PC) Department, Fort St.George, Chennai-9.

For Petitioner : Mr.T.P.Prabakaran
For Respondents : Mr.N.Srinivasan
Additional Government Pleader

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the respondents to pass appropriate orders on the application for revision of pension submitted by the petitioner vide letter dated 21.05.2012, through proper channel on merits and in accordance with law within a stipulated time in the light of the letter No.44880/ Pay Cell/2009-1 dated 04.08.2009 and the letter No.41817/ Pay Cell/2009-1 dated 04.08.2009 both issued by the Principal Secretary to Government of Tamil Nadu Finance (PC) Department, Fort St.George, Chennai-9.

3.The petitioner would state that he was appointed as a Secondary Grade Teacher on 17.11.1977 and was confirmed in the said post on 01.06.1978. Thereafter he was transferred to various

schools and from 28.02.2004, he was designated as Tamil Pandit and he retired from the service on 31.05.2007.

4.The petitioner would further state that the Principal Secretary to Government of Tamil Nadu, Finance (PC) Department issued letter No.44880/ Pay Cell/2009-1, dated 04.08.2009 and the said letter contained guidelines/ instructions for strict compliance in processing proposals relating to revision of pensionary benefits in respect of those retired between 01.01.2006 and 31.05.2009 and also issued a clarification letter No.41817/ Pay Cell/2009-1, dated 04.08.2009 and would further state that since he retired from service on 31.05.2007, he is entitled for revision of pension. The petitioner in this regard, has made several representations and since no response is forthcoming, came forward to file this petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader who takes notice for the respondents.

6.Considering the submissions made on either side and without going into the merits of the case, this Court directs the petitioner to give a fresh representation along with a copy of this order to the

respondents, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to consider the said representation and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter.

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

07.10.2016

pri

Index: Yes/ No

Internet: Yes/ No

To

- 1 The Principal Secretary to
Government of Tamilnadu,
Department of Education,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2 The Accountant General
No.361, Anna Salai,
Chennai – 600 018.
- 3 The Chief Educational Officer,
Education Department,
B-Block, Sathuvachari,
Vellore – 9.
- 4 The Headmaster
Government Girls Higher Secondary School,
Kaveripakkam,
Arakkonam Taluk,
Vellore District.

R.SUBBIAH,J.

pri

W.P.No.35774 of 2016

07.10.2016