



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2016

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.23800 of 2016

and

W.M.P. (MD) No.17145 of 2016

C.Rajagopal

... Petitioner

Vs.

1.The Principal Secretary,
Government of Tamil Nadu,
Rep.by School Education Department,
Fort St.George,
Chennai 600 009.

2.The Director of Elementary Education,
Nungambakkam,
Chennai 600 006.

3.The District Elementary Education Officer,
Pudukkottai.

4.The Assistant Education Officer,
Annavaasal,
Pudukkottai District.

5.The Accountant General (A & E),
Chennai 600 018.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay pension to the petitioner considering the representation dated 23.08.2016 and opinion of the 3rd respondent in Na.Ka.No.4560/A-4/2015 dated 06.07.2016 within a time frame.

For Petitioner : Mr.S.Manohar

For Respondents : Mr.S.Sathiskumar, AGP for R1 to 4

Mr.P.Gunasekaran for R5

**ORDER**

The petitioner seeks for a Writ of Mandamus, directing the respondents to pay pension to the petitioner by considering the representation dated 23.08.2016 and also opinion of the 3rd respondent in Na.Ka.No.4560/A-4/2015 dated 06.07.2016 within a time frame.

2.Mr.S.Sathish Kumar, learned Additional Government Pleader takes notice for the respondents 1 to 4 and Mr.P.Gunasekaran learned counsel takes notice for the 5th respondent. By consent, the writ petition itself is taken up for final disposal.

3.The petitioner was appointed as Secondary Grade Teacher on 11.10.1955 and served in District Board School Pudur, Trichy from 19.10.1955 to 20.08.1958. After completion of teacher training, he served in Malaikudipatty Panchayat Union School from 19.04.1960 to 12.06.1967. On 12.06.1967, he resigned his job and thereafter, on 11.10.1982 again he joined in Hindu Elementary School, Sulapuram, Usilampatty Taluk and served till 10.11.1982.

4.The case of the petitioner is that he is entitled for pension from 10.06.1992. In this regard, he preferred several representations to the respondents. The 3rd respondent by proceedings dated 14.10.2009 and 06.07.2016 recommended the case of the petitioner for granting pension. However, till date no order has been passed, the petitioner is before this Court with the present Writ petition for the aforesaid prayer.

5.The learned counsel for the petitioner submitted that the petitioner is 80 years old and hence, the case of the petitioner may be considered expeditiously. The learned counsel for the petitioner also submitted that it would suffice if the representation of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

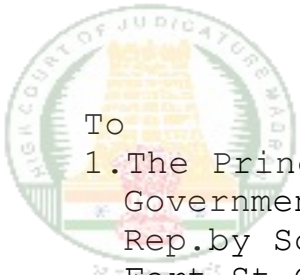
6.In view of the limited scope of the prayer, without going into the merits of the matter, the 1st respondent is directed to consider the request of the petitioner by considering his representation dated 23.08.2016, based on the proceedings of the 3rd respondent 06.07.2016 within a period of 8 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected W.M.P.is closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar



To

1.The Principal Secretary,
Government of Tamil Nadu,
Rep.by School Education Department,
Fort St.George, Chennai 600 009.

WEB COPY

2.The Director of Elementary Education,
Nungambakkam, Chennai 600 006.

3.The District Elementary Education Officer,
Pudukkottai.

4.The Assistant Education Officer,
Annavasal, Pudukkottai District.

5.The Accountant General (A & E),
Chennai 600 018.

+1 cc to M/s.S.Manohar, Advocate in SR.No.81363

+1 cc to M/s.P.Gunasekarana, Advocate in SR.No.80959

nbg

CSL/PM-AMI/25.01.2017 :3P/8C

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14.12.2016