



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:15.03.2016

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.5188 of 2016

Selvi.R.Renganayagi

... Petitioner

Vs.

1.The Director of School Education,
Chennai.

2.The Chief Educational Officer,
Trichy, Trichy District.

3.The District Educational Officer,
Trichy District.

4.The Accounts General (A&E),
Chennai - 600 018.

5.The Secretary,
The High School,
Thiruvanaikoil,
Trichy District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to sanction the yearly increments and revised pension benefits with all consequential benefits to the petitioner by considering the proposal submitted by the fifth respondent, dated 16.03.2012.

For Petitioner

: Mr.V.Panneer Selvam

For R-1 to R-4

: Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

ORDER

Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondent Nos.1 to 4.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the respondents to sanction yearly increments and revised pension benefits with all consequential benefits to the petitioner by considering the proposal submitted by the fifth respondent, dated 16.03.2012.

4.The case of the petitioner is that she was a Music Teacher in the fifth respondent school and she had been working there from 1980 and retired on 30.06.1989. The third respondent herein had forwarded a proposal to the fourth respondent to sanction pension benefits to the



petitioner through his letter, dated 08.02.2000. The fourth respondent had also issued proceedings finalising the pension benefits in the minimum scale. Thereafter, the third respondent had sent a detailed letter to the fourth respondent stating that no fresh or revised orders are necessary since the Government had already permitted the petitioner to continue in service without SSLC qualification and therefore, the petitioner is exempted from prescribed qualification. Thereafter, the respondents sanctioned pension benefits in the minimum scale of pay without regulating the yearly increments. According to the petitioner, similarly placed persons were also sanctioned retirement benefits after filing a Writ Petition before this court. Hence, the petitioner had made a representation to the fifth respondent on 09.05.2011 to sanction yearly increments and for revised pension benefits. The petitioner had also sent a representation to the third respondent on 27.06.2011 and the fifth respondent had also forwarded the proposal to the third respondent. Even then, there was no response. Hence, the petitioner had been sending several representations to the authorities. Thereafter, a proposal was sent to the third respondent on 16.03.2012. But, till today there is no response from the Authorities. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. The learned Additional Government Pleader, who takes notice for the official respondents had no objection for granting the relief as sought for by the petitioner.

6. Considering the facts and circumstances of the case, the third respondent is directed to consider the proposal, dated 16.03.2012 forwarded by the fifth respondent to sanction yearly increments and revised pension benefits with all consequential benefits to the petitioner and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub AssistantRegistrar

To

1.The Director of School Education,
Chennai.

2.The Chief Educational Officer,
Trichy, Trichy District.

3.The District Educational Officer,
Trichy District.

4.The Accounts General (A&E),
<https://hcservices.ecourts.gov.in/hcservices/>
Chennai - 600 018.



5.The Secretary,
The High School,
Thiruvanaikoil,
Trichy District.

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+1cc to special Government Pleader SR.No.16940

+1cc to M/s.V.Panneer Selvam, Advocate in SR.No.14828

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W.P (MD) No.5188 of 2016
15.03.2016