

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15-12-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.18233 of 2011

R.Muthusamy

.. Petitioner

-vs-

1. The Director of Elementary Education,
Department of Elementary Education,
DPI Campus,
College Road,
Chennai.
2. The Chief District Educational Officer,
O/o.The Chief District Education Officer,
District Collector Office Campus,
Perambalur,
Perambalur District.
3. The District Elementary Educational Officer,
O/o.District Elementary Educational Officer,
Kadai Veethi,
Perambalur.
4. The Assistant Elementary Educational Officer,
O/o.The Assistant Elementary Education Officer,
Veppur, Kunnam Taluk,
Perambalur District.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to take action on the representation of the petitioner dated 2.6.2011 by disbursing the dearness allowance due to him forthwith.

For Petitioner - Mr.G.Anabaya Chozhan and
Ms.Shanthi Anabaya Chozhan

For Respondents - Mr.R.Vijayakumar,
Additional Government Pleader.

ORDER

The relief sought for in this writ petition is for a direction to direct the respondents to consider the representation submitted by the writ petitioner on 2.6.2011.

2. The learned counsel, appearing on behalf of the writ petitioner, states that the writ petitioner was holding the post of Headmaster and retired from service on 30.11.1994, on attaining the age of superannuation.

3. The grievance of the writ petitioner is that the Government has extended certain benefits to the retired Headmasters in G.O.Ms.No.235, Finance (Pay Cell) Department, dated 1.6.2009 and the benefit of the same has not been extended to him. In this regard, the writ petitioner has made a representation on 14.12.2009 before the fourth respondent and the same is yet to be considered.

4. The learned Additional Government Pleader, appearing on behalf of the respondents, informed the Court that the writ petitioner has to submit his service details, since he has retired in the year 1994 and the claim is made belatedly.

5. The learned Additional Government Pleader for the respondents further states that the service particulars of the writ petitioner is not available with the respondents and if so the reconstruction of the service records are to be done with the cooperation of the writ petitioner and the writ petitioner should cooperate with the respondents for the reconstruction of the service records, so as to consider his case based on the Government Orders for revision of pension.

6. Taking note of all these factors, the fourth respondent is directed to consider the representation submitted by the writ petitioner on 14.12.2009 and pass orders on merits and in accordance with law, within a period of twelve weeks from the

date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all other required documents for the purpose of consideration along with the order passed in this writ petition.

7. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Director of Elementary Education,
Department of Elementary Education,
DPI Campus, College Road, Chennai.
2. The Chief District Educational Officer,
O/o.The Chief District Education Officer,
District Collector Office Campus,
Perambalur, Perambalur District.
3. The District Elementary Educational Officer,
O/o.District Elementary Educational Officer,
Kadai Veethi, Perambalur.
4. The Assistant Elementary Educational Officer,
O/o.The Assistant Elementary Education Officer,
Veppur, Kunnam Taluk, Perambalur District.

+2ccs to the Government Pleader, S.R.No.90593 & 91141

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CS/02/01/18

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