

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.28644 of 2017

R.Pushpavalli

Petitioner

Vs.

1. The Director of School Education,
Office at College Road,
Chennai - 600 006

2. The Chief Educational Officer,
Cuddalore District

3. The Accountant General of Tamilnadu
DMS Compound,
Teynampet, Chennai - 600 006

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 and 2 to sanction and disburse pension to the petitioner for the period of service rendered by her from 19.01.1998 to 31.05.2016 and also the terminal benefits payable to the petitioner on her retirement on 31.05.2016 with all consequential benefits in the light of the order dated 18.03.2010 passed in W.P.No.8584 of 2009 and by considering her representation dated 01.08.2016.

For Petitioner :Mr. S.Mani

For Respondents:Mr. R.A.S.Senthilvel for R1 and R2
Additional Government Pleader

O R D E R

With consent on either sides, the main writ petition itself is taken up for final disposal.

2. The case of the petitioner is that she was appointed on 19.01.1998, as office assistant on compassionate grounds. Thereafter, the petitioner was terminated from service on 05.03.2004 on the ground that she has produced bogus educational certificate. While so, the petitioner had approached this Court by way of a Writ Petition No.15522 of 2004, challenging the said order dated 05.03.2004. This Court, on 19.03.2005 allowed the writ petition with a direction to the respondents therein to restore the petitioner into service with all back-wages. Again, the respondents therein terminated the petitioner without complying with the order passed by this

Court. Again, with the intervention of this Court in W.P.No.8584 of 2009, dated 18.03.2010, the petitioner was reinstated and subsequently retired from service attaining the age of superannuation on 31.05.2016. But her terminal and consequential benefits have not been disbursed, for which, the petitioner has given a representation on 01.08.2016, till now, even after a lapse of more than one year, the respondents have not come forward to consider the same. Hence this Writ Petition.

2. Mr.R.A.S.Senthilvel, learned Additional Government Pleader takes notice for respondents 1 and 2 and submits that there is no proof with regard to the representation submitted by the petitioner on 01.08.2016, which is enclosed in the writ petition. However, if the petitioner submits a fresh representation, the same would be considered on merits and he seeks four weeks time to consider the same.

3.Considering the limited relief sought for in the writ petition and without going into the merits of the matter, this Court, hereby directs the petitioner to submit a copy of the representation dated 01.08.2016, within a period of one week from the date of receipt of copy of this order. Thereafter, the respondents are directed to consider the representation dated 01.08.2016 made by the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of four weeks.

4.Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssd
To

1. The Director of School Education,
Office at College Road,
Chennai - 600 006

2. The Chief Educational Officer, Cuddalore District

3. The Accountant General of Tamilnadu
DMS Compound,
Teynampet, Chennai - 600 006

+1cc to Mr.S.Mani, Advocate SR.No.79533
+1cc to Government Pleader sr.No.79915

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KJI (CO)

sm:11.12.2017

<https://hcservices.ecourts.gov.in/hcservices/>