

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2017

CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.37229 of 2004

R.Appukutti

... Petitioner

Vs.

1.The Government of Tamil Nadu,
rep. by the Secretary to the Government,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Accountant General (A&E),
Tamil Nadu, Chennai - 600 018.

3.The Assistant Elementary Educational Officer,
Oddanchathiram, Dindigul District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records relating to the impugned order of the first respondent in G.O.Ms.No.185, School Education Department, dated 16.12.2002 and the order of the second respondent in P17/3/A58-624/VR/2003-2004/5528 dated 09.10.2003 and quash the same and direct the respondents to restore the last drawn pay of the petitioner as it existed at the time of his retirement and grant him all consequential benefits.

For Petitioner : M/s.P.Rajendran

For Respondents : Mrs.K.Bhuvaneswari
Government Advocate

WEB COPY
O R D E R

The writ petition has been filed by the petitioner seeking for issuance of a Writ of Certiorari to call for the records relating to the impugned order of the first respondent in G.O.Ms.No.185, School Education Department, dated 16.12.2002 and the consequential order of the second respondent in P17/3/A58-624/VR/2003-2004/5528 dated 09.10.2003 and quash the same and direct the respondents to restore the last drawn pay of the petitioner as it existed at the time of his retirement and grant him all consequential benefits.

2. The learned counsel for the petitioner submitted that he has produced a copy of the Government Order in G.O.Ms.No.234, Education (G2) Department, dated 10.09.2009 which is applicable to facts of the case.

3. Heard the submissions of M/s.P.Rajendran, learned counsel appearing for the petitioner and Mrs.K.Bhuvaneswari, learned Government Advocate appearing for the respondents.

4. The learned Government Advocate also conceded the submission of the learned counsel for the petitioner.

5. This Court, without going into the merits of the case, directs the petitioner to give fresh representation to the first respondent within a period of 15 days from the date of receipt of a copy of this order and on receipt of such representation, the first respondent is directed to consider the said representation and to pass orders, on merits and in accordance with law, in the light of G.O.Ms.No.234, Education (G2) Department, dated 10.09.2009, within a period of eight weeks thereafter.

6. With the above direction, this writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to the Government,
Government of Tamil Nadu,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Accountant General (A&E),
Tamil Nadu,
Chennai - 600 018.

3.The Assistant Elementary Educational Officer,
Oddanchathiram, Dindigul District.

+1cc to the Government Pleader, S.R.No.

W.P.No.37229 of 2004

BR(CO)
CA(03/08/2017)