

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.12.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8421 of 2006

P.Leelavathy

..Petitioner

Vs

1.Director of School Education,
Chennai - 6.

2.Chief Educational Officer,
Erode.

3.District Educational Officer,
Erode.

4.The Correspondent,
Kalaimagal Kalvi Nilayam,
Girls High School, Erode.

...Respondents

R4-Impleaded as per order dt:19.12.2012

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order in O.Mu.No.12721/Aa 4/2001 dated 13.06.2002 passed by the third respondent and quash the same, and consequently direct the respondents to sanction pension and settle all the consequential benefits, including arrears of pension to the petitioner.

For Petitioner :Mr.P.Ganesan
for Mr.S.S.Mani.T.Sellapandian
& V.Manoharan

For Respondents :Mr.A.Raja Perumal for R1 to R3
Additional Government Pleader

Mr.Kandhan Duraisamy for R4

O R D E R

The grievances of the writ petitioner is that the services rendered by the writ petitioner in between the years 1963 to 1978 in an aided school had not been counted for the purpose of calculating qualifying services for grant of pension with

reference to the Pension Rules in force.

2.The learned counsel for the petitioner states that the petitioner is eligible for treating the period as qualifying service. However, the internal communication shared between the District Educational Officer, Erode and the school states that the writ petitioner was relieved from the service on 08.06.1978 on account of the letter of resignation submitted by the writ petitioner.

3.Thus, the writ petitioner is not entitled for the counting of service as per the Pension Rules in force. Since the resignation amounts to forfeiture of services. However, if any grievances exist as of now, it is for the petitioner to approach the competent authorities for the purpose of redressing the same. In the event of submitting any such representation the same shall be considered on merits and in accord with law.

4.With these observations, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.Director of School Education,
Chennai - 6.

2.Chief Educational Officer,
Erode.

3.District Educational Officer,
Erode.

+1cc to Mr.P.Ganesan, Advocate, S.R.No.85196

+1cc to Mr.Muthumani Doraisami, Advocate, S.R.No.85305

+1cc to the Government Pleader, S.R.No.85861

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RSI (CO)
GSP(09/01/2019)