

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.6643 of 2018

S.Chidambaram

.. Petitioner

-vs-

1. The Director of School Education
D.P.I., College Road
Chennai 600 006

2. The Accountant General (A&E)
Office of the Accountant General
Teynampet
Chennai 600 018

3. The District Educational Officer
Perambalur District

4. The Assistant Elementary
Educational Officer
Veppur Union
Perambalur District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the third and fourth respondents to consider the petitioner's representation dated 06.02.2016 for the count of 50% of petitioner's service for a period from 10.07.1967 to 31.05.1984 for 17 years, 2 months and 21 days as a Part-time Vocational Instructor along with the regular service from 01.06.1984 to 31.05.1998 as qualifying service for the purpose of pensionary benefits and to grant arrears of pension and other benefits.

For Petitioner :: Mr.R.Sreedharan

For Respondents :: Mrs.P.Rajalakshmi
Additional Government Pleader

ORDER

The petitioner is a retired Vocational Instructor, who got appointed as a part-time Vocational Instructor at Panchayat Union Middle School, Elumur on 10.7.67 and served till 31.5.84. Later on, his services were regularised with effect from 1.6.84. He was also awarded the selection grade on 1.6.94 and again after completion of one another ten years of service, enjoyed the benefit of special grade pay and finally, on reaching the age of superannuation, retired from service on 31.5.98 from the Panchayat Union Middle School, Nannai, Veppur Union, Perambalur District.

2. With this background, the grievance of the petitioner is that the Government have issued G.O.Ms.No.408, Finance (Pension) Department dated 25.8.2009 to the effect that the retired employees who worked in non-provincialised service on consolidated pay as well as honorarium pay and daily wages are entitled to compute 50% of the service put in by them for the purpose of pension. Pursuant thereto, a representation has been made by the petitioner to consider his request for counting 50% the services rendered by him from the date of his appointment viz., 10.7.67 to 31.5.84, since the petitioner, having put in less number of countable service for the purpose of pension in view of the belated regularisation order, is not able to get sufficient pension. Therefore, he has made a representation and seeks a direction for consideration of the same.

3. The learned Additional Government Pleader for the respondents submitted that since the petitioner is a senior citizen aged about 79 years, his representation will be considered on merits within a period of four weeks.

4. This Court, considering the fact that the petitioner is a septuagenarian, hereby directs the third and fourth respondents to consider the representation of the petitioner on merits, in the light of G.O.Ms.No.408, Finance (Pension) Department dated 25.8.2009, and pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-VI)

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Sub Assistant Registrar

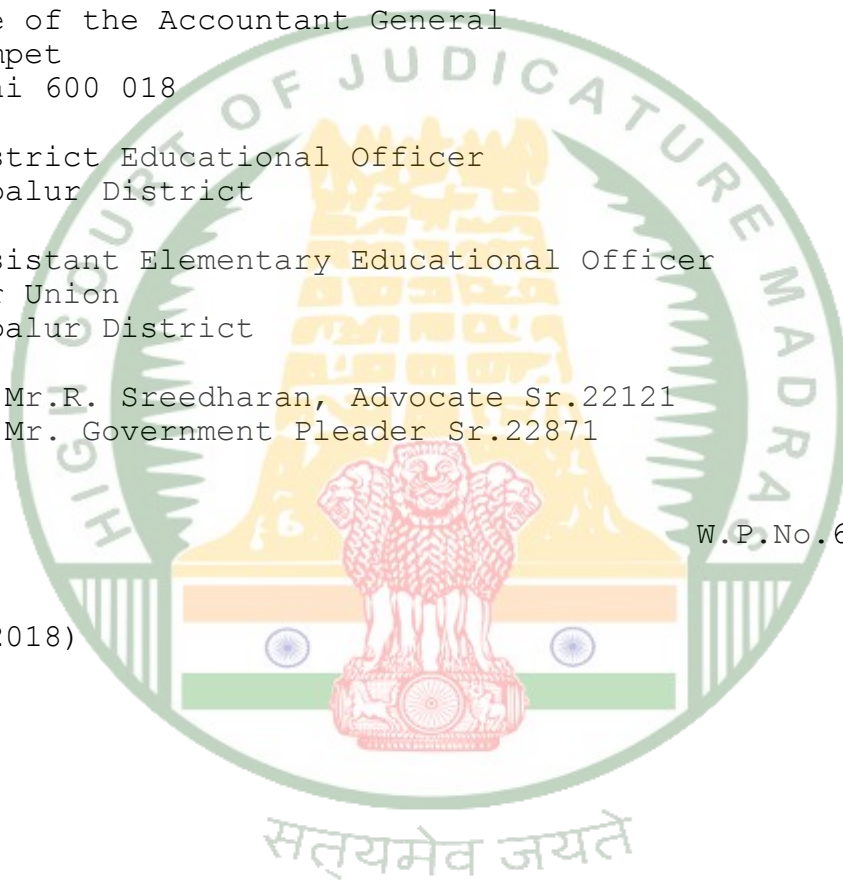
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To

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Perambalur District
- + 1 cc to Mr.R. Sreedharan, Advocate Sr.22121
+ 1 cc to Mr. Government Pleader Sr.22871

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NM(CO)
EU(10/04/2018)



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