

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.07.2018
Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No. 18978 of 2018

D. Monichellam

...Petitioner

Vs.

1. The Accountant General of
Tamilnadu (A&E), Anna Salai,
Chennai - 600 018.
2. The Assistant Elementary Education Officer,
Valaparai, Coimbatore District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to forthwith sanction and disburse the arrears of revised pension to the petitioner by considering and passing orders on the representation of the petitioner Dt. 30.06.2017.

For Petitioner : Mr. K. Selvaraj

For Respondents : Mrs. P. Kavitha,
Government Advocate

O R D E R

Heard Mr. K. Selvaraj, the learned counsel appearing for the petitioner and Mrs. P. Kavitha, the learned Government Advocate, who accepts notice on behalf of the respondents. With the consent on either side, the Writ Petition is taken up for disposal.

2. The grievance of the petitioner, in this case is that, though she was superannuated from her service on 31-08-1993, in the meanwhile, the Government has taken a decision to extend the benefit of 4th Pay Commission to the teachers, in which, the petitioner is also covered. But, pursuant to such policy decision, the petitioner's salary has not been revised and she has not been granted arrears of salary as well as pension. In this regard, she has made a representation to the respondents on

30-06-2017. Since the same evoked no response, she has filed this Writ Petition seeking a direction to the respondents to consider and pass orders on such representation within a stipulated time.

3. The learned Government Advocate appearing for the respondents would submit that the representation of the petitioner will be considered and necessary orders will be passed, however, states that let the petitioner file such representation before the second respondent within a specified date, and on such filing, the second respondent shall examine the matter and send necessary proposal to the respondent No. 1 for grant of such pension.

4. Considering the aforesaid facts and the submissions made by the learned counsel for both the parties, this Court disposes of this Writ Petition at the stage of admission with an order giving liberty to the petitioner to make a representation in this regard before the second respondent citing the decision of the Government with regard to the extension of 4th Pay Commission benefits as well as her entitlement over the same within a period of 3 weeks from the date of receipt of a copy of this order. If such representation is filed within the period as stipulated above, the second respondent shall examine such representation and send the proposal to the first respondent within a period of three weeks thereof who, in turn, shall take an informed and considered decision on the same on the claim of the petitioner within three weeks on receipt of such proposal from the second respondent.

5. With the aforesaid order, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Accountant General of
Tamilnadu (A&E), Anna Salai,
Chennai - 600 018.

2. The Assistant Elementary Education Officer,
Valaparai, Coimbatore District.

+1cc to Mr.K.Selvaraj, Advocate Sr.49906
+1cc to the Government Pleader Sr.50432

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srg 20/08/2018



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