



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.15791 of 2018

and

W.M.P.(MD) No.14143 of 2018

M.Lawrence

... Petitioner

Vs

- 1) The Director,
Tamil Nadu School Education,
Chennai.
- 2) The District Educational Officer,
Behind SLB School,
Nagercoil, Kanyakumari District.
- 3) The Correspondent,
SMRV Higher Secondary School,
M.S.Road, Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioners representation dated 09/07/2018 submitted for the disbursement of the petitioners retirement benefits and dispose of the same by passing an order on merits and in accordance with law within a time frame as stipulated by this court.

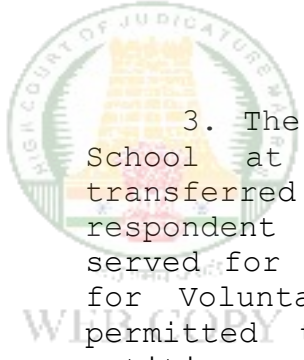
For Petitioner : Mr.S.Palanivelayutham

For Respondents: Mrs.S.Srimathy,
Special Government Pleader.

O R D E R

The prayer sought for in the Writ Petition is for a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 09.07.2018 submitted for the disbursement of the petitioner's retirement benefits and dispose of the same by passing an order on merits and in accordance with law within a time frame.

2. Heard Mr.S.Palanivelayutham, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents. Since no adverse orders are going to be passed against the third respondent, notice to the third respondent is dispensed with.



3. The petitioner was initially appointed as Teacher at R.C.Primary School at Punnai Nagar, Nagercoil and thereafter, she has been transferred to some other school and at last she joined at the third respondent School, where, her service was regularised. After having served for several years, on health ground, she submitted an application for Voluntary Retirement Service (V.R.S.,) and accordingly, she was permitted to retire voluntarily from 28.02.2017. Even though, the petitioner had served for several years and retired voluntarily in the year 2017, so far, the retirement and pension benefits of the petitioner have not been disbursed. Hence, the petitioner has made a detailed representation on 09.07.2018 and therefore, if the said representation is directed to be considered by the respondents, the petitioner would be satisfied.

4. I have heard Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents, who would submit that, once the proposal for retirement benefits and pensionary benefits, with regard to the petitioner, is forwarded by the third respondent, where the petitioner last served, the same will be considered by the official respondents within a time frame that may be stipulated by this Court.

5. Considering the limited scope of the Writ Petition, this Court is inclined to pass the following orders:

"that the pension proposal, if already forwarded by the third respondent, the same shall be considered by the first and second respondents and if not already submitted, the same can be called for from the third respondent and after getting the same, that shall be considered by the first and second respondents and an order to that effect on merits and in accordance with law shall be passed with regard to the disbursement of retirement and pensionary benefits to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order."

6. With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected W.M.P. (MD) No.14143 of 2018 is closed.

Sd/-

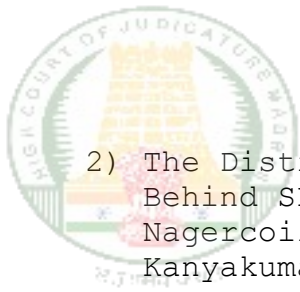
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1) The Director,
<https://hcservices.ecourts.gov.in/hcservices/>
 Tamil Nadu School Education,
 Chennai.



2) The District Educational Officer,
Behind SLB School,
Nagercoil,
Kanyakumari District.

3) The Correspondent,
SMRV Higher Secondary School,
M.S.Road,
Nagercoil, Kanyakumari District.

+ 1 CC TO MR.S.PALANIVELAYUTHAM, ADVOCATE IN SR NO.73973
+ 1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.74124

sts

BU/PM/SAR-I : 10.10.2018 : 3P/6C

Order made in
W.P. (MD) No.15791 of 2018
19.07.2018