



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.18837 of 2018

WEB COPY

G.Perumal

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep.by the Secretary to Government,
Finance (P.C) Department,
Fort St.George,
Chennai - 600 009.

2.The Principal Accountant General,
(Accounts & Entitlement),
Tamil Nadu,
361, Anna Salai
Chennai - 600 018.

3.The Director of School Education,
College Road,
Nungambakkam,
Chennai - 6.

4.The Chief Education Officer,
Virudhunagar,
Virudhunagar District.

5.The Headmaster,
Government Higher Secondary School,
Veerarpatti - Appayanaickenpatti,
Virudhunagar Taluk & District.

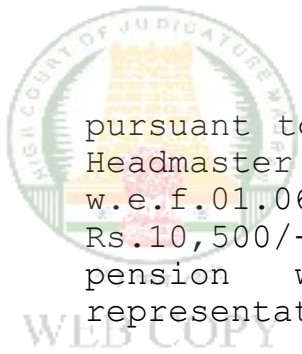
... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to pay the arrears of pension pursuant to the revision of scale of pay on par with Middle School Headmaster Selection Grade and Special Grade Scale of pay w.e.f.01.06.1988 and pay the pension on the revised scale of pay of Rs.10,500/- and consequently to pay all the arrears of revised pension w.e.f 01.06.1988 by considering the petitioner's representation dated 19.04.2018.

For Petitioner	: Mr.V.R.Venkatesan
For Respondents	: Ms.S.Srimathi
(R1 & R3 to R5)	Spl.Govt.Pleader
For Respondent-2	: Mr.P.Gunasekaran

O R D E R

The Writ Petition has been filed praying to issue a Writ of Mandamus, to direct the respondents to pay the arrears of pension



pursuant to the revision of scale of pay on par with Middle School Headmaster Selection Grade and Special Grade Scale of pay w.e.f.01.06.1988 and pay the pension on the revised scale of pay of Rs.10,500/- and consequently to pay all the arrears of revised pension w.e.f 01.06.1988 by considering the petitioner's representation dated 19.04.2018.

2. The grievance of the petitioner is that he is entitled to arrears of pension pursuant to revision of scale-of-pay on par with middle school headmaster selection grade and special grade with effect from 01.06.1988 and that he is entitled to revision of pay, based on the revised scale of pay that may be fixed and arrears to be extended from 01.06.1988 for which he made a representation after 30 years.

3. Admittedly, the request of the petitioner has not been rejected by the respondents and the petitioner has been asked to submit necessary application through proper channel. The petitioner will have to submit the application through the 5th respondent. When this was pointed out, the learned counsel appearing for the petitioner would state that it is suffice that such a prayer may be granted and the petitioner is willing to route the application.

4. I have heard the learned counsel appearing on either side and perused the materials available on record.

5. In view of the same, the petitioner is directed to submit a fresh application to the authority concerned, as per the communication, dated 25.06.2018, within a period of 15 days from the date of receipt of a copy of this order. On such application is being received, the 5th respondent is directed to scrutinize the papers, if otherwise in order, and forward it to appropriate authority and the authority concerned shall decide about the eligibility with regard to revision of pay and grant of pension and sanction the same in accordance with law. It is open to the authorities to look into the aspect of laches. In case, the petitioner is found eligible, the amount shall not carry any interest as there is enormous delay in making a request. Such exercise shall be completed within a period of three months from the date of receipt of application from the petitioner by the authority concerned.

6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CRL.SIDE)

/True Copy/



To

1. The Secretary to Government,
Government of Tamil Nadu,
Finance (P.C) Department,
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Chennai - 600 009.

2. The Principal Accountant General,
(Accounts & Entitlement),
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3. The Director of School Education,
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4. The Chief Education Officer,
Virudhunagar,
Virudhunagar District.

5. The Headmaster,
Government Higher Secondary School,
Veerarpatti - Appayanaickenpatti,
Virudhunagar Taluk & District.

- 1 CC TO Mr.P.GUNASEKARAN , ADVOCATE IN SR No. 85584.
- + 1 CC TO Mr.V.R.VENKATESAN , ADVOCATE IN SR No.85495.
- +1 cc to Special Government Pleader, SR.No.85185.

MPK

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