



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14537 of 2017

C.Paradesi

... Petitioner

-Vs-

1.The District Educational Officer,
Kuzhithurai, Kanyakumari District.

2.The Correspondent,
Aided Higher Secondary School,
Arumanai,
Kaniyakumari District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to settle pension benefits from 30.11.2016 and to pay salary for the re-employment period from 01.12.2016 to 08.02.2017 with all consequential benefits by considering the petitioner representation dated 15.02.2017.

For Petitioner : Mr.V.Paneer Selvam

For R1 : Mr.M.Jeyakumar

Additional Government Pleader

For R2 : Mr.M.Saravanan

ORDER

Heard the learned counsel on either side.

2.By consent of both parties, the main Writ Petition itself is taken up for final disposal.

3.The petitioner was worked as P.G. Assistant in the sixth respondent / School. He reached the age of superannuation on 30.11.2016. Since the retirement fell during the middle of the academic year, the petitioner was given re-employment and worked in that capacity till 08.02.2017.

4.It appears that there is a Management dispute and as a result the petitioner's pension proposals were not properly submitted to the first respondent till date. Even though, the petitioner's pension proposals were forwarded to the first respondent, the petitioner's Service Register was not enclosed. As a result, the petitioner is yet to be paid his pension. Since the



petitioner's service details are not in dispute, the fact that the management failed to forward the petitioner's Service Register cannot be put against the petitioner.

5. The second respondent is directed to re-construct the petitioner's Service Register within a period of three weeks from the date of receipt of a copy of this order. Thereafter, the Service Register would be forwarded to the first respondent. The first respondent is directed to issue the pensionary and other service benefits payable to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands allowed accordingly. No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To
The District Educational Officer,
Kuzhithurai, Kanyakumari District.

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.58482
+1CC TO M/S.V.PANNEER SELVAM, ADVOCATE, SR NO.58257
+1CC TO M/S.R.SUBRAMANIAN, ADVOCATE, SR NO.58145

W.P. (MD) No.14537 of 2017
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tsg

MS/SV-MMS/SAR-1/05.04.2018/2P.5C