

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.01.2019

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.1477 of 2019

A.Leema

... Petitioner

Vs

- 1.The Accountant General (A&E)
No.361, Anna Salai, Teynampet
Chennai 600 018.
- 2.The Director of School Education
Chennai 600 006.
- 3.The Chief Educational Officer, Trichy
Trichy District.
- 4.The District Educational Officer, Trichy
Trichy District.
- 5.The Correspondent / Headmistress, Infant Jesus
Higher Secondary School, Thuvakudimalai
Kailasapuram,
Tiruchirapalli-620 022. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents count the petitioner's service rendered at Our Lady of Bon Secours Girls Higher Secondary School, Bangalore and sanction pension for the services rendered for 24 years 8 months and 5 days by considering the representation made by the petitioner on 03.12.2018 and confer all consequential benefits.

For Petitioner : Mr.P.Ganesan, for
M/s.C.S.Associates

For Respondent : Mrs.P.Kavitha,
Government Advocate (Education)

O R D E R

The petitioner was first appointed as B.T.Assistant in a regular post in St.Joseph's Girls Higher Secondary School, Mannargudi, Tamil Nadu on 06.06.1991. She was transferred to

Our Lady of Bon Secours Girls High School, Bangalore from 09.06.1993 to 05.06.1996 as Assistant Mistress in an approved post. She was transferred back to St. Joseph's Girls Higher Secondary School, Mannargudi, Tamil Nadu and subsequently, she served various schools run by the same congregation in Tamil Nadu and retired on 31.08.2016. However, while calculating the commutation pension, her services at Our Lady of Bon Secours Girls High School, Bangalore from 09.06.1993 to 05.06.1996 was not considered. In this regard, the petitioner has made a representation to the respondents on 03.12.2018, which was not considered. Hence, the present writ petition is filed. Learned counsel for the petitioner relies on G.O.Ms.No.619, Education Department dated 29.03.1983 passed by the Government in the case of a similarly placed teacher and seeks similar relief to the petitioner.

2. Ms.P.Kavitha, learned government Advocate (Education) akes notice on behalf of the respondents.

3. Considering the facts and circumstances of the case, without going into the merits of the matter, the respondents are directed to consider the representation of the petitioner dated 03.12.2018 in the light of G.O.Ms.No.619, Education Department dated 29.03.1983, on merits and in accordance with law after giving due opportunity of hearing to the petitioner, and pass orders within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of in the above terms. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

kst

To

1.The Accountant General (A&E), No.361,
Anna Salai, Teynampet
Chennai 600 018.

2.The Director of School Education,
Chennai 600 006.

3.The Chief Educational Officer,
Trichy,Trichy District.

4.The District Educational Officer,
Trichy,Trichy District.

5.The Correspondent / Headmistress, Infant Jesus
Higher Secondary School, Thuvakudimalai
Kailasapuram, Tiruchirapalli-620 022.

+1 cc to M/s.C.S.Associates, Advocate SR.No.4844

+1 cc to The Government Pleader, SR.No.5055

CSL/05.03.2019

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