

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.17465 of 2019

Mary Thresia Stancilas

...Petitioner

vs

1. The Director of School Education,
Kamarajar Education Complex,
Puducherry.

2. The Principal,
Wiseman Higher Secondary School,
Velrampet, Mudaliarpet,
Puducherry - 605004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus or a writ in the nature of Mandamus directing the respondents to sanction and pay Pension and grant petitioner all other pensionary benefits due to the petitioner within a time limit to be stipulated.

For Petitioner : Mr. P. Rajendran

For Respondents : Ms. S. Davie,
Government Advocate for Puducherry

सत्यमेव जयते

O R D E R

With the consent of both the parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner filed this Writ Petition seeking direction to direct the respondents to sanction and pay Pension and grant petitioner all other pensionary benefits due to the petitioner within a time limit to be stipulated

3. The case of the petitioner is that the petitioner was working as School Assistant at the Wiseman Higher Secondary

School, Velrampet, Mudaliyarpeta, Puducherry. The said school is an Aided School. The petitioner was initially appointed in the year 1987. While so in the year 2003, the petitioner became seriously ill and she had to undergo a Uterus Surgery. After surgery, the petitioner could not recover from her illness completely and she was physically weak and not fit for even doing her routine work. Thereafter had no other option except to opt for voluntary retirement. Accordingly, the petitioner submitted her willingness to go on voluntary retirement. Though the first respondent accepted her resignation on 30.01.2006 with effect from 16.07.2004, but did not pay pension and other pensionary benefits due to her till date. Thereafter the petitioner made a representation dated 31.07.2018 to the first respondent seeking pension and retiral benefits, however no order has been passed till date. Hence, the present Writ Petition is filed.

4. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the first respondent to consider the representation dated 31.07.2018 submitted by the petitioner, and pass order on merits and in accordance with law.

5. The learned counsel for the respondents agreed to dispose of the representation dated 31.07.2018 within a stipulated time.

6. Considering the facts and circumstances of the case and the limited request made by the petitioner, I am inclined to issue direction to the first respondent to consider the representation dated 31.07.2018 submitted by the petitioner and pass orders on merits and in accordance with law within a period of four (12) weeks from the date of receipt of a copy of the order. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

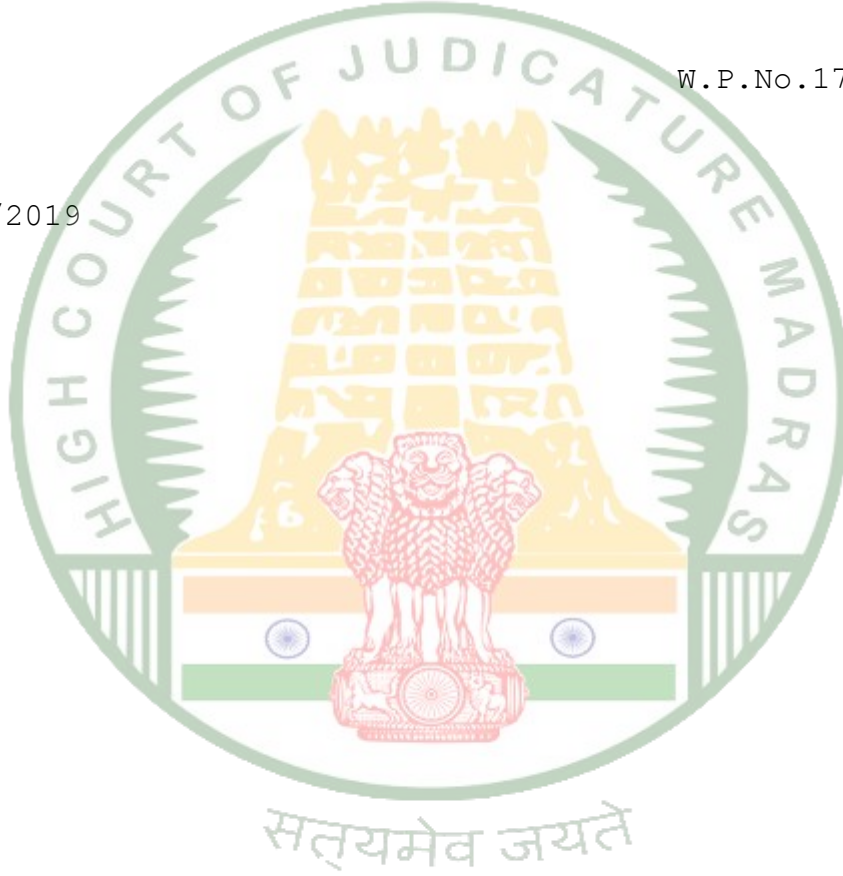
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+1cc to M/s.P.Rajendran, Advocate Sr.87305
+1cc to the Government Pleader Sr.87576

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srg 18/12/2019



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