

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.19242 of 2019

- 1.S.Swaminathan
- 2.G.Kumaraswami
- 3.Arulmary Arulando
- 4.R.M.Meenal
- 5.M.Sandadevi
- 6.S.Pushpavalli
- 7.M.Paulraj
- 8.A.Xavier

...Petitioners

vs.

- 1.The Government of Tamilnadu,
Represented by Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.
- 2.The Director of School Education,
College Road, Nungambakkam,
Chennai - 600 006.
- 3.The Chief Educational Officer,
Madurai District, Madurai.
- 4.The District Educational Officer,
Madurai District, Madurai.
- 5.The Chief Educational Officer,
Dindigul Distriict, Dindigul.
- 6.The District Educational Officer,
Dindigul Distriict, Dindigul.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Mandamus, to direct the first respondent to consider the claim of the petitioners for granting the benefits of G.O.Ms.No.216 Finance (PC) Department, dated 22.03.1993 as modified in G.O.Ms.No.90, School Education (SE 3(1) Department dated 09.05.2018 to the pensioner with effect from 01.03.2017 in the light of their representation dated 01.06.2018 and to pass orders within time frame.

For Petitioners : Mr.P.Murali

For Respondents : Ms.P.Kavitha
Government Advocate

ORDER

The Writ Petition has been filed by the petitioners to direct the first respondent to consider the claim of the petitioners for granting the benefits of G.O.Ms.No.216 Finance (PC) Department, dated 22.03.1993 as modified in G.O.Ms.No.90, School Education (SE 3(1) Department dated 09.05.2018 to the pensioner with effect from 01.03.2017 in the light of their representation dated 01.06.2018.

2.Heard Mr.P.Murali, learned counsel appearing for the petitioners and Ms.P.Kavitha, learned Government Advocate, appearing for the respondents.

3.The learned counsel for the petitioners submitted that this Court by an order dated 30.04.2019, directed the respondents to consider the representations of the petitioners dated 01.06.2018. However, till date, the representations were not considered.

4.The learned Government Advocate for the respondents submitted that the issue involved in this case is pending before the Hon'ble Supreme Court.

5.Considering the above submission and in view of the pendency of the case before the Hon'ble Supreme Court, this petition to issue Mandamus is not maintainable and also similar type of issue was already dealt by this Court in W.P.No.26643 of 2019 dated 06.09.2019 and dismissed the same.

6.In the view of the above, this writ petition stands dismissed. However, the petitioners are at liberty to work out their remedy in the manner known to law after the disposal of the said SLP before the Hon'ble Supreme Court. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.

2.The Director of School Education,
College Road, Nungambakkam,
Chennai - 600 006.

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

4.The District Educational Officer,
Madurai District, Madurai.

5.The Chief Educational Officer,
Dindigul District, Dindigul.

6.The District Educational Officer,
Dindigul District, Dindigul.

+1cc to Mr.P.Murali, Advocate Sr.90807
+1cc to the Government Pleader Sr.90724

W.P.No.19242 of 2019

vg I[co]
srg 03/12/2019

सत्यमेव जयते

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