

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17620 of 2018

M.Chinamuthu

.. Petitioner

vs

1.State of Tamil Nadu rep by its Secretary
School Education Department
Fort St.George
Chennai-9.

2. The Director of School Education
College Road
Chennai-6.

3. The Chief Educational Officer
Chief Educational Office
Dharmapuri District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to sanction service extension benefits of salary to the petitioner taking into account by considered the representation made by the petitioner dated 18.04.2018 with all consequential service and monetary by this Court.

For Petitioner : Mr.C.Vediappan

For Respondents : Mr.A.Raja Perumal
Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents to sanction service extension benefits of salary to the writ petitioner taking into account by considered the representation made by the writ petitioner on 18.04.2018.

2. The counter filed by the third respondent states that on completion of the disciplinary proceedings, terminal and pensionary benefits had already been settled in favour of the

writ petitioner and the details are set out in paragraph No.11 of the counter.

11. As per the above Government orders the writ petitioner was relieved from his duties on the afternoon of 30.06.2016 revoking his suspension and all the pensionary/terminal benefits have already been drawn and paid to him as follows:-

Item of Terminal benefit	Amount Rs.	Paid on
1) Death Cum Retirement Gratuity Rs.	9,69,570	04.05.2018
2) Commutation Pension	12,56,078	04.06.2018
3) Leave salary due to Encashment of Earned Leave and Un-Earned Leave on Private affairs.	7,54,930 1,11,870	23.03.2018 23.05.2018
4) Special Provident Fund	26,222	23.05.2018
5) General Provident Fund Final Closure	4,24,303	23.03.2018
6) First Pension for July 2016	14,364	10.11.2016s

No more terminal benefits pending to be drawn and paid to the writ petitioner by the educational authorities.

3. In view of the fact that the pensionary and terminal benefits had already been settled in favour of the writ petitioner, no further orders are required in the present writ petition. However, the learned counsel for the writ petitioner states that the writ petitioner is entitled for interest for the belated settlement of the terminal and pensionary benefits.

4. In this regard, the writ petitioner is at liberty to submit a representation specifying period for which he is entitled for interest and in the event of the petitioner submitting any representation, the same shall be considered with reference to the rules by the authorities competent.

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

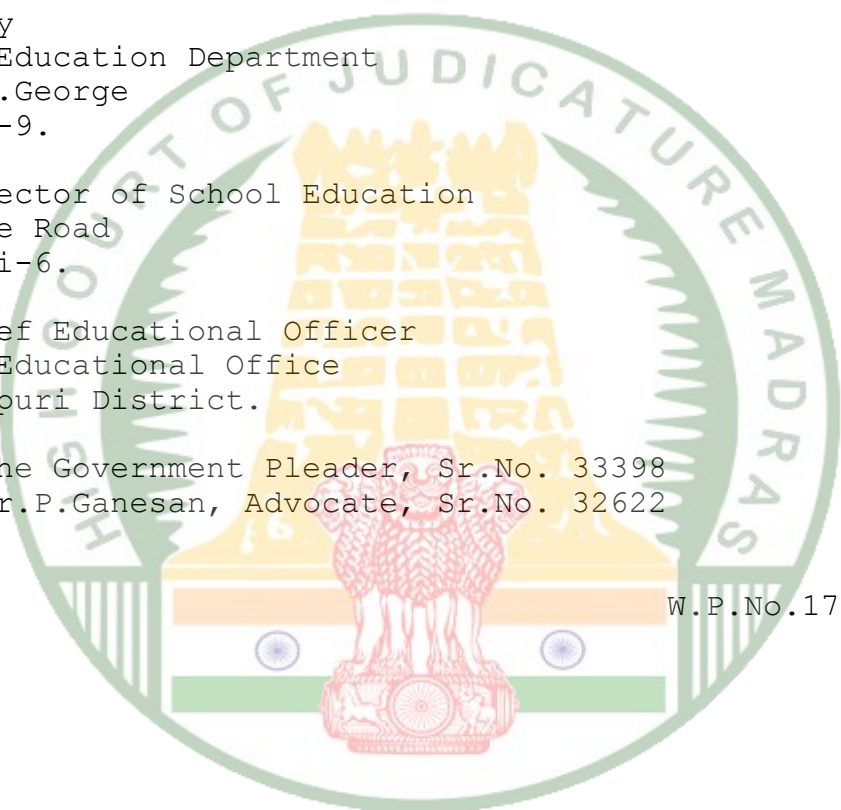
To

1. Secretary
School Education Department
Fort St. George
Chennai-9.
2. The Director of School Education
College Road
Chennai-6.
3. The Chief Educational Officer
Chief Educational Office
Dharmapuri District.

+1 cc to The Government Pleader, Sr.No. 33398

+1 cc to Mr.P.Ganesan, Advocate, Sr.No. 32622

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सत्यमेव जयते

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