



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

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W.P.No.22245 of 2019

V.Annapoorani

... Petitioner

Versus

- 1.The State of Tamil Nadu,  
Rep. by the Secretary to Government.  
Adi-Dravidar and Tribal Welfare Department,  
Fort St.George,  
Chennai-9.
- 2.The Director,  
Adi-Dravidar and Tribal Welfare Department,  
Chennai-5.
- 3.The District Adi-Dravidar and Tribal Welfare Officer,  
Kanchipuram,  
Kanchipuram District.
- 4.The Head Master,  
Adi-Dravidar Welfare Hr. Sec. School,  
Thaiyur,  
Tiruporur Taluk,  
Kanchipuram District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ or order or orders or direction more particularly a Writ of Mandamus directing the first respondent herein consider the petitioner's representation dated 05.03.2019 seeking to permit the petitioner to retire from service w.e.f., 31.03.2015 and to settle all her retirement benefits and pay her monthly pension and other benefits as per norms within a time limit.

For Petitioner : Mr.S.Arunkumar

For Respondent : Mrs.A.Sri Jayanthi  
Additional Government Pleader



## O R D E R

This writ petition has been filed for issuance of Writ of Mandamus, directing the first respondent herein consider the petitioner's representation dated 05.03.2019 seeking to permit the petitioner to retire from service w.e.f., 31.03.2015 and to settle all her retirement benefits and pay her monthly pension and other benefits as per norms within a time limit.

2. According to the petitioner, she was initially joined at the Fourth respondent school as part time craft teacher on 24.01.1989. Thereafter, her services were regularised in the said post in the year 1996. After regularization of service the wages were sought to be recovered alleging excess pay vide. proceedings of the third respondent dated 26.05.1998 which was set aside by this Court in W.P.No.44147 of 2006 on 14.12.2010. However, the petitioner's service was not confirmed even after her probation. She was also not paid annual increments from the year of regularization till the date of retirement. Instead of regularization of service and paying the annual increments the third respondent sent an order in Na.Ka.No.27611/1998/J2 dated 10.03.2011 directing her to undergo three months condensed course as a condition precedent for regularization of service at a time when she was left with only about four years of service to retire. The said order has been stayed in W.P.No.11457 of 2011 and the same is pending.

3. On 31.03.2015 being the day of retirement from service after she left the school, the third respondent issued an order of suspension from service in R.C.No.27610/98/J2/30.03.2015 at about 7 pm by force and coercion and she was compelled to sign as if the said order was received by her on 30.03.2015. The third respondent also issued a letter stating that the petitioner was not allowed to retire from service in view of the pendency of the writ petition in W.P.No.11457 of 2011 and also he issued 17(b) charge memo to the petitioner. Thereafter, the petitioner has submitted detailed reply dated 26.07.2015 to the said chage memo requesting the respondents to accept her reply and to drop the charges, permit her to retire from service and to settle all her retirement benefits and monthly pension. Since no response forthcoming from the respondents, the petitioner filed W.P.No.13946 of 2015 seeking to quash the impugned letter and to permit her to retire from service and also she submitted her representation dated 29.08.2015, to the respondents to permit her to retire from service. The respondents advised the petitioner to withdraw the cases filed by her in order to consider her representation. Hence, the petitioner has withdrew all her cases viz. W.P.No.11457 of 2011, W.P.No.13946 of 2015



and W.P.No.32321 of 2015. She again made a representation dated 05.03.2019 to the respondents. However, the respondents have not considered her representation. Hence the present writ petition.

4. The learned counsel for the petitioner would submit that it would suffice to issue direction to the respondents to dispose of the representation in accordance with law.

5. Considering the facts and circumstances of the case, and the representation made by the petitioner is still pending with the respondents, and in view of the fact that the petitioner has already reached the age of superannuation as early as 31.03.2015, the respondents are directed to dispose of the representation made by the petitioner on 05.03.2019, if not disposed of already, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-  
Asst.Registrar (CCC)

/true copy/  
Sub Asst. Registrar

bkn  
To

- 1.The Secretary to Government,  
Adi-Dravidar and Tribal Welfare Department,  
Fort St.George,  
Chennai-9.
- 2.The Director,  
Adi-Dravidar and Tribal Welfare Department,  
Chennai-5.
- 3.The District Adi-Dravidar and Tribal Welfare Officer,  
Kanchipuram,  
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- 4.The Head Master,  
Adi-Dravidar Welfare Hr. Sec. School,  
Thaiyur,  
Tiruporur Taluk,  
Kanchipuram District.

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+1 cc to Mr.S.Arunkumar Advocate sr84038  
+1 cc to the government Pleader sr83979

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