



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

WEB COPY

W.P.No.24691 of 2019

K.Balasubramaniam

... Petitioner

Vs

- 1.The Government of Tamilnadu
rep. by its Secretary,
School Education Department,
Fort St. George,
Chennai-600009.
- 2.The Director of School Education,
College Road, Nungambakkam,
Chennai- 600 006.
- 3.The Chief Educational Officer,
Namakkal, Namakkal District.
- 4.The Headmaster,
Government Higher Secondary School,
Palapatti, Namakkal District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 19.08.2018 with regard to count the earlier service rendered by the petitioner in the recognized unaided schools for the revision of pension in the light of the G.O.M.S.No.143 Education (V2) department dated 30.01.1989.

For Petitioner : Mr.V.Thirupathi

For Respondents : Mr.C.Munusamy
Special Government Pleader.

O R D E R

This Writ Petition has been filed for the issuance of the Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 19.08.2018 with regard to count the earlier service rendered by the petitioner in the recognized unaided schools for the revision of pension in



the light of the G.O.M.S.No.143 Education (V2) department dated 30.01.1989.

2. The case of the petitioner is that he was appointed as P.E.T on 22.06.1978 in Srividyamandir Higher Secondary School, Salem, which is affiliated to the Central Board of Secondary School Education, New Delhi. Later, he worked as P.E.T in A.R.R.Matriculation School, Kumbakonam during the year 1982 and 1983 on temporary basis. Thereafter, the petitioner was joined as P.E.T. in the Salem Co-operative sugar mills matriculation Higher Secondary School, Mohanur during the year 28.09.1988 and 05.04.1998.

3. According to the petitioner, on 03.04.1998, he joined as P.E.T. In Municipal Boys Higher Secondary School, Ammapettai Salem. He had received all retirement benefits and also sanctioned pension vide. P.P.No.6650865/EDG. The respondent has sanctioned pension by calculating the period of service rendered in Government Service i.e from the year 1998 to 2010. The grievance of the petitioner is that the respondent failed to count the petitioner's earlier service rendered in the recognized unaided private schools for about seven years. In similar cases, the respondent has passed an order vide. G.O.Ms.No.143 dated 30.01.1987, for counting the service rendered in Private Schools. Hence, the petitioner made a representation on 20.10.2013 to the respondents requesting to count the service rendered by him in the recognized unaided schools. Since, no action is forthcoming from the respondents, the petitioner filed 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 limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents to dispose of the representation, if not disposed of already within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar



To

1. The Secretary
The Government of Tamilnadu
School Education Department,
Fort St. George,
Chennai-600009.

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

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

4. The Headmaster,
Government Higher Secondary School,
Palapatti, Namakkal District.

+1 cc to Government Pleader sr 85082

+1 cc to Mr.V.Thirupathi Advocate sr84426

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