



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.7763 of 2019

G.Arumugam

.. Petitioner

vs.

1.The State of Tamil Nadu,
rep.by its Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.

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

3.The District Educational Officer,
O/o.The District Educational Office,
at Gomathiammal Government Boys High School,
Sankarankoil,
Tirunelveli District.

4.The Headmaster,
Government Higher Secondary School,
Sayamalai - 628 552,
Thiruvengadam Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents to fix Pension to the petitioner by including 50% of his service rendered on consolidated wages as per Rule 11(2) of the Tamil Nadu Pension Rules, 1978.

For Petitioner	:	Mr.T.Lajapathi Roy
For Respondents	:	Mrs.S.Srimathy Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to fix pension of the petitioner, by including 50% of his service rendered on consolidated wages as per Rule 11(2) of the Tamil Nadu Pension Rules, 1978.



2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3. According to the petitioner, he was initially appointed as a Watchman on consolidated wages with effect from 15.11.1993 at G.N. Government Higher Secondary School, Kuruvikulam and subsequently he joined at Bharathiyar Government High School, Tirunelveli Town on 07.12.2007 and his services were regularised with effect from 07.12.2007. The grievance of the petitioner is that even though the petitioner's services were regularized on 07.12.2007, 50% of his services on consolidated wages as Watchman right from 15.11.1993 has to be reckoned with for calculating pension. Seeking such claim, the petitioner made a representation dated 26.01.2019 to the respondents. Since the same has not been considered so far, the petitioner is before this Court.

4. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the petitioner's representation would be considered on merits and appropriate orders be passed by the respondents.

5. In view of the above submission, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 26.01.2019 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Secretary,
State of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai - 600 009.

2. The Director of School Education,
DPI Campus,
College Road,
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3.The District Educational Officer,
O/o.The District Educational Office,
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+1CC TO MR.T.LAJAPATHI ROY, Advocate Sr. No. 60359

W.P(MD) No.7763 of 2019
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SRK(CO)
TR (06.05.2019) 3P 6C