

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 14.03.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.1772 of 2017**

B.Henry Prabhakar

... Petitioner

Vs.

1.The District Educational Officer,
Pudukkottai District, Pudukkottai.

2.The Assistant Educational Officer,
Aranthangi, Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus, to call for the records relating to the impugned order in Na.Ka.No.1427/A4/16, dated 02.12.2016 passed by the second respondent and quash the same and consequently, directing the respondents to allow the petitioner to go on medical invalid retirement.

For Petitioner : M/s.P.Kalaiyarasi Bharathi

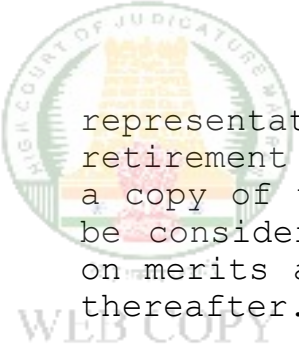
For Respondents : Mrs.S.Srimathy,
Special Government Pleader.

ORDER

This writ petition has been filed seeking to quash the impugned order of the second respondent, dated 02.12.2016 and consequently direct the respondents to allow the petitioner to go on medical invalid retirement.

2.According to the learned counsel for the petitioner, the claim of the petitioner for medical invalid retirement was rejected by the second respondent by the impugned order on the ground that the Regional Medical Board, Thanjavur, advised the petitioner to undergo cataract surgery on both eyes. The learned counsel for the petitioner submitted that though the prayer is for a Certiorarified Mandamus, it would suffice, if the petitioner grants liberty to make a fresh representation before the authorities concerned, for which, the learned Special Government Pleader appearing for the respondents has no serious objection.

3.In view of the above, this Writ Petition is disposed of with liberty to the petitioner to approach the authorities with a fresh



representation, seeking permission to go on medical invalid retirement within a period of two weeks from the date of receipt of a copy of this order. On filing such representation, the same shall be considered and appropriate orders be passed by the authorities, on merits and in accordance with law, within a period of four weeks thereafter. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Educational Officer,
Pudukkottai District, Pudukkottai.

2.The Assistant Educational Officer,
Aranthangi, Pudukkottai District.

+1 CC to M/s.P.KALAIYARASI BHARATHI, Advocate in SR-54071

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.54296

W.P (MD) No.1772 of 2017
14.03.2019

ps

PK/16.04.2019 : 2P/5C