



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.04.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP(MD)No.1666 of 2016 and
W.M.P(MD) Nos.1419 of 2016

S. Balakrishnan

... Petitioner

Vs.

1. The Chief Educational Officer,
O/o. The Chief Educational Office,
Nagercoil, Kanyakumari District.

2. The District Educational Officer,
O/o. The District Educational Office,
Thackkalai, Kanaykumari District.

3. The Secretary,
AVD Higher Secondary School,
Ganapathipuram,
Ganapathipuram Post,
Kanyakumari District.

4. P. Sivadhanu

5. The Principal Accountant General,
O/o the Accountant General,
(Account and Entitlements),
No.361, Anna Salai,
Chennai, Tamil Nadu.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 3 and 4 to forward the revised pension proposal of the petitioner in pursuance of the proceedings dated 06.11.2015 and 12.11.2015 of the 1st and 2nd respondent respectively and consequently, to direct the 2nd respondent to authorise the pension and all other retirements of the petitioner and disburse the same within the time stipulated by this Court.

For Petitioner : Mr.H. Mohammed Imran
for M/s. Ajmal Associates

For R1 & R2 : Mrs. S. Srimathy,
Special Government Pleader

For R3 & R4 : Mr. T. Cibi Chakravarthy
For R5 : Mr. P. Gunasekaran

**ORDER**

This writ petition is filed, seeking to direct the respondents 3 and 4 to forward the revised pension proposal of the petitioner in pursuance of the proceedings of the respondents 1 and 2, dated 06.11.2015 and 12.11.2015 and consequently, direct the 2nd respondent to authorise the pension and all other retirements of the petitioner and disburse the same.

2. When the matter was taken up for consideration, the learned Special Government Pleader appearing for the respondents 1 and 2, on instructions, submitted that the pension proposal submitted by the petitioner was returned back to him for certain defects and the same was not represented by him till date.

3. In view of the above submission, the learned counsel appearing for the petitioner seeks liberty to the petitioner to submit a fresh pension proposal to the concerned authority.

4. Considering the submissions made by the learned counsel appearing on either side, this Court, without going into the merits of the case, directs the petitioner to submit a fresh pension proposal to the concerned authority, within a period of two weeks from the date of receipt of a copy of this order and on such submission, the same shall be forwarded to the authority concerned, who shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of the proposal. Further, the petitioner is also given liberty to raise all other claims.

5. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

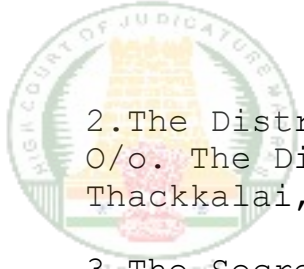
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Sub Assistant Registrar(CS)

trp

To

1. The Chief Educational Officer,
O/o. The Chief Educational Office,
Nagercoil, Kanyakumari District.



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O/o. The District Educational Office,
Thackkalai, Kanaykumari District.

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4.The Principal Accountant General,
O/o the Accountant General,
(Account and Entitlements),
No.361, Anna Salai, Chennai, Tamil Nadu.

+1 CC to M/s.ISAAC CHAMBERS,Advocate(SR-60635[F] dated 12/04/2019)
+1 CC to M/s.SPL GP (SR-60740[F] dated 12/04/2019)
+1 CC to M/s.AJMAL ASSOCIATES,Advocate(SR-60706[F]dated 12/04/2019)

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ES/07.05.2019/3P/8C