



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2019

CORAM:

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD).No. 16901 of 2019

G.R. Kalaiarasi

: Petitioner

Vs.

1. The Secretary,
Department of Education,
Government of Tamilnadu,
Fort Saint George,
Chennai - 600 002.
2. The Accountant General,
O/o. The Accountant General,
Teynampet, Chennai - 18.
3. The Joint Director,
Directorate of School Education,
DPI Building, College Road,
Nungambakkam, Chennai.
4. The Chief Educational Officer,
CEO Office, Thiruvallur District.
Chennai.
5. The Chief Educational Officer,
CEO Office, Tallakulam,
Madurai District.
6. The District Educational Officer,
DEO Office, Ponneri,
Thiruvallur District, Chennai.
7. The Headmistress,
Government Girls High School,
Mohappair East, Chennai - 37.

: Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, to direct the respondents-1 & 2 to pass appropriate order, on ascertaining the particulars from the respondents-3 to 7, based on the representation of the petitioner, dated 24.03.2016 and the reminder, dated 02.02.2018 for disbursement of Gratuity payable to the petitioner.



For Petitioner

: Mr.R. Murugan

For Respondents-1, 3 to 7

: Mr.S. Srimathy,
Special Government Pleader

For Respondent-2

: Mr.P.Gunasekaran,
Standing counsel

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ORDER

The writ petition has been filed seeking direction to the respondents-1 & 2 to pass appropriate order, based on the representations of the petitioner, dated 24.03.2016, 02.02.2018 for disbursement of Gratuity payable to the petitioner.

2. Mrs. S. Srimathy, learned Special Government Pleader takes notice for the respondents-1, 3 to 7. Mr. P. Gunasekaran, learned standing counsel takes notice for the second respondent. By consent of both parties, the instant writ petition is taken up for final disposal at the stage of admission itself.

3. The grievance of the petitioner is that, she has joined duty as B.T. Assistant Teacher on 10.10.2007 in the seventh respondent school, as per the proceedings of the third respondent vide Na.Ka.No.90225/C4/E1/07, dated 26.09.2007. The further grievance of the petitioner is that she was retired from service on 31.05.2016 and she is eligible for payment of Gratuity and hence, she has submitted application on 24.03.2016 requesting for payment of all terminal benefits and also sent legal notice, dated 28.06.2018, but, no order has been passed by the respondents-1 & 2. Aggrieved over the same, the instant writ petition is filed.

4. Today, when the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents-1, 3 to 7 would submit that, the petitioner may be directed to approach the concerned authorities to make a representation and on receipt of any such representation, the same shall be considered and appropriate orders will be passed.

5. The learned counsel appearing for the petitioner agreed to make an application before to the respondents-1 & 2.

6. Recording the above said statement, this Court directs the petitioner to make an application before the respondents-1 & 2 for claiming Gratuity amount, if permissible under law. If any such representation is made by the petitioner, the respondents-1 & 2 shall consider the same and pass appropriate orders, on merits and in accordance with law.



7. With the above terms, this Writ Petition is disposed of.
No Costs.

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// True Copy //

Sd/-

Assistant Registrar (CS-III)

Sub Assistant Registrar(CS)

To

1. The Secretary,
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Government of Tamilnadu,
Fort Saint George, Chennai - 600 002.
2. The Accountant General,
O/o. The Accountant General,
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+1 CC to M/s.SPL GP (SR-80593[F] dated 08/08/2019)
+1 CC to M/s.R.MURUGAN, Advocate (SR-80517[F] dated 08/08/2019)
+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-80949[F] dated 09/08/2019)

W.P(MD).No. 16901 of 2019
07.08.2019

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JMN(26.08.2019) 3P : 11C