



WEB COPY

WP(MD)No.17179 of 2019 and

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

W.P(MD)No.17179 of 2019 and
WMP(MD).No. 13692 of 2019

B. Prema

... Petitioner

Vs.

1. The Government of Tamil Nadu,
rep. by the Deputy Secretary to the Government,
Higher Education (G2 Department),
Fort St. George,
Chennai - 600 009.

2.The Director of Collegiate Education,
Tirunelveli Region,
Chennai - 6.

3.The Accountant General of Tamil Nadu,
Teynampet,
Chennai - 600 018.

4.The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli - 627 002.

5.The Secretary,
Sri Parasakthi College for Women,
Courtallam,
Tirunelveli District - 627 802.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 5th respondent to prepare and process the petitioner's pension application dated 30.05.2019, considering the petitioner representation dated 22.07.2019 before the date of her retirement on superannuation.

For Petitioner : Mr.L. Victoria Gowri

For R1, R2 and R4 : Mr. A. Muthukaruppan
Additional Government Pleader

For R3 : Mr. P. Gunasekaran
Standing Counsel

For R5 : No appearance



ORDER

This writ petition has been filed for issuing a direction to the 5th respondent to prepare and process the petitioner's pension application dated 30.05.2019, by considering her representation dated 22.07.2019, submitted before the date of her retirement on superannuation.

2. According to the petitioner, she was superannuated on 31.07.2019 and made an application to the 5th respondent for payment of pensionary benefits, but, till date, the 5th respondent has not forwarded the said proposal to the 4th respondent and the same has to be forwarded to the 3rd respondent for sanctioning the pensionary benefits. Hence, the petitioner has filed the present Writ Petition before this Court.

3. The learned Additional Government Pleader appearing for the respondents 1, 2 and 4 submitted before this court that if the said application is in order and if the same is received by the 4th respondent from the 5th respondent, the same shall be forwarded to the 3rd respondent for sanctioning the pensionary benefits to the writ petitioner.

4. The learned Standing Counsel appearing for the 3rd respondent would submit that if the 5th respondent submit the proposal to the 3rd respondent through 4th respondent, the same shall be considered by the 3rd respondent in accordance with Rules and appropriate orders will be passed within the time frame to be fixed by this Court.

5. Though notice has been served on the 5th respondent and his name is also printed in the cause list, there is no representation on behalf of the 5th respondent.

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel appearing on either side, this Court is inclined to dispose of the Writ Petition with the following directions:

(i) The 4th respondent is directed to forward the pensionary proposal submitted by the petitioner, dated 22.07.2019, if it is in order, to the 5th respondent within a period of six weeks from the date of receipt of a copy of this order.

(ii) If the aforesaid pensionary proposal received by the 4th respondent, the same shall be forwarded to the 3rd respondent, for sanctioning the pensionary amount to the petitioner, within a period of two weeks, thereafter.

(iii) As agreed by the learned Standing Counsel appearing for the 3rd respondent, if any such proposal is received from the



4th respondent, the 3rd respondent shall consider the same and pass appropriate orders on the proposal submitted by the respondents 4 and 5, as expeditiously as possible, in any event, not later than, four weeks from the date of receipt of the proposal.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. Deputy Secretary to the Government,
Higher Education (G2 Department),
Fort St. George, Chennai - 600 009.

2.The Director of Collegiate Education,
Tirunelveli Region, Chennai - 6.

3.The Accountant General of Tamil Nadu,
Teynampet, Chennai - 600 018.

4.The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli - 627 002.

5.The Secretary,
Sri Parasakthi College for Women,
Courtallam, Tirunelveli District - 627 802.

+1 CC to M/s.L.VICTORIA GOWRI, Advocate SR-83706.

+1 CC to M/s.P. GUNASEKARAN, Advocate SR-83736.

+1 CC to SPL GP SR-83992.

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