



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2019

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD) .No.327 of 2014

and

MP (MD) No.1 of 2014

R.Krishnan ... Petitioner

-Vs-

1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education (Elementary),
Fort St. George, Chennai.

2.The Director of Elementary Education,
DPI Complex, College Road,
Chennai-6.

3.The District Elementary Educational Officer,
Tuticorin.

4.The Assistant Elementary Educational Officer,
Ottapidaram, Tuticorin District.

5.The Accountant General (Pension),
Chennai-16.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent in G.O.Ms.No.179, dated 06.09.2013 quash the same and thereby direct the respondent to consider the service rendered by the petitioner as Secondary Grade Teacher prior to 01.06.1998 to refix the petitioner's pay, grant all monetary, service, retiral and pension benefits to the petitioner.

For Petitioner : Mr.M.Senthilkumar

For Respondents : Mrs.S.Srimathy
Special Government Pleader
(for R-1 to R-4)

Mr.P.Gunasekaran (for R-5)



ORDER

The relief sought for in the present writ petition is to quash the impugned order issued in G.O.Ms.No.179, dated 06.09.2013 and direct the respondents to consider the service rendered by the writ petitioner as Secondary Grade Teacher prior to 01.06.1998 to refix the pay and grant all monetary benefits.

2.The writ petitioner filed the present writ petition at the age of 71 years. The writ petitioner was promoted to the post of Headmaster and retired from service on 30.06.2002. The writ petition itself is filed after a lapse of 12 years from the date of retirement. Thus, the writ petition is liable to be rejected on the ground of laches.

3.However, the learned counsel appearing on behalf of the fifth respondent made a submission that the writ petitioner is not fulfilling the terms and conditions as stipulated in Government Order in G.O.No.179, dated 06.09.2013. This Court is of the opinion that the writ petitioner has to file the writ petition at the age of 71 years seeking benefit to count the service rendered by him in the post of Secondary Grade Teacher prior to 01.06.1998 cannot be considered at this length of time and accordingly, the writ petition stand dismissed on the ground of laches. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

sjj

To

1.The Principal Secretary,
Department of School Education (Elementary),
Fort St. George, Chennai.

2.The Director of Elementary Education,
DPI Complex, College Road,
Chennai-6.



3.The District Elementary Educational Officer,
Tuticorin.

4.The Assistant Elementary Educational Officer,
Ottapidaram, Tuticorin District.

5.The Accountant General (Pension),
Chennai 16.

+1 CC to M/s.M.SENTHIL KUMAR, Advocate (SR-80820[F] dated
09/08/2019)

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-80954[F] dated
09/08/2019)

+1 CC to M/s.SPL GP (SR-81188[F] dated 09/08/2019)

W.P. (MD) .No.327 of 2014

08.08.2019

sjj

KK/SAR/29.08.2019/3P-9C/