



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) No.22603 of 2019

C.Dhanapaul

... Petitioner

-Vs-

- 1.The State of Tamil Nadu,
Represented by its Secretary to
Government School Education Department,
Fort St., George, Chennai-9.
 - 2.The Director of School Education,
D.P.I.Campus,
College Road,
Chennai.
 - 3.The Accountant General (Accounts and Entitlements),
Accountant General Department,
Chennai-625 018.
 - 4.The Chief Educational Officer,
Office of Chief Educational Officer,
Madurai.
- ...Respondents

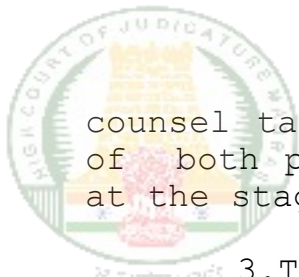
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 03.08.2019 and to include 50% of his service period as part time vocational teacher in his service register for the purpose of calculating the pension benefits within the time fixed by this Court.

For Petitioner	: Mr.V.Raghavachari
For R3	: Mr.P.Gunasekaran
For R1, R2 & R4	: Mr.M.Karuppasamy
	Government Advocate

ORDER

The petitioner has filed the present writ petition for a direction to the respondents to consider the petitioner's representation dated 03.08.2019 and to include 50% of his service period as part time vocational teacher in his Service Register, for the purpose of calculating the pensionary benefits within the time fixed by this Court.

2.Mr.M.Karuppasamy, learned Government Advocate takes notice on behalf of the respondents 1,2 & 4 and Mr.P.Gunasekaran, learned



counsel takes notice on behalf of the third respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.The learned counsel for the petitioner relied on various orders passed by this Court, wherein, this Court directed the respondents to take into consideration 50% of the service rendered by the employees while calculating the quantum of pension payable to the employees. According to the petitioner, the respondents filed S.L.P.No.(Civil) 6253 of 2011, challenging the order of this Court and the same was dismissed. Hence, he prayed to allow the Writ petition.

4.The learned Government Advocate appearing for the respondents 1,2 & 4 and the learned counsel appearing for the third respondent contended that the issue is whether 50% of the part time service rendered by the employees, to be counted for pension is now pending before the Hon'ble Division Bench of this Court and hence, he prayed for dismissal of the Writ petition.

5.Heard Mr.V.Raghavachari, learned counsel appearing for the petitioner, Mr.M.Karuppasamy, learned Government Advocate appearing for the respondents 1,2 & 4 and Mr.P.Gunasekaran, learned counsel appearing for the third respondent.

6.In view of the rival submissions of the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1,2 & 4 and the learned counsel appearing for the third respondent, without deciding the issue on merits, the petitioner is directed to give fresh representation by enclosing his service particulars to the first respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the first respondent is directed to consider the representation of the petitioner and pass orders on merits and in accordance with law within a period of twelve (12) weeks thereafter.

7.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Secretary to
Government School Education Department,
Fort St., George, Chennai-9.

2.The Director of School Education,
D.P.I.Campus,
College Road,
Chennai.

3.The Accountant General (Accounts and Entitlements),
Accountant General Department,
Chennai-625 018.

4.The Chief Educational Officer,
Office of Chief Educational Officer,
Madurai.

5.The School Education Department,
Chennai.

+1 CC to Mr.V.RAGHAVACHARI, Advocate (SR-94401[F] dated
24/10/2019)

+1 CC to Mr.P.GUNASEKARAN, Advocate (SR-94576[F] dated 25/10/2019)

W.P. (MD) No.22603 of 2019
24.10.2019

VB(29.11.2019) 3P 8C