



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2019

CORAM:

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

W.P. (MD) No.25977 of 2019

WEB COPY

C.R.Manogar

... Petitioner

Vs.

1.The State of Tamil Nadu,
rep., by its Secretary,
School Education Department,
Secretariat,
Chennai.

2.The Accountant General,
(Accounts & Entitlement),
Tamil Nadu, Chennai.

3.The Director of School Education,
Chennai.

4.The Chief Educational Officer,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to take 50% of double part time services rendered by the petitioner i.e., from 01.07.1986 to 15.10.1992 totally 6 years 3 months and 15 days along with regular service for pension benefits with all consequential benefits by considering the petitioner's representation dated 07.06.2019.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.M.Karuppasamy

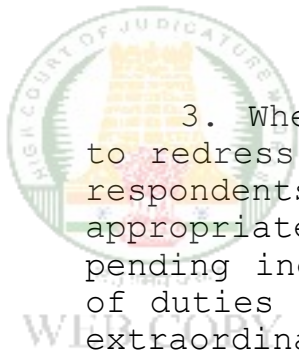
Government Advocate (For R1, R3 and R4)

Mr.P.Gunasekaran (for R2)

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The limited prayer sought for by the petitioner is, to consider the representation, dated 07.06.2019 seeking pension benefits in respect of part time services rendered by the petitioner i.e., from 01.07.1986 to 15.10.1992 totally 6 years 3 months and 15 days.



3. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merit and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

4. In view of the above observations, there shall be a direction to the respondents 3 and 4 herein to consider the petitioner's representation dated 07.06.2019 on its own merits and pass appropriate orders within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the respondents to consider it in accordance with law.

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

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

rmk

To

- 1.The Secretary,
School Education Department,
Secretariat,
Chennai.
- 2.The Accountant General,
(Accounts & Entitlement),
Tamil Nadu, Chennai.
- 3.The Director of School Education,
Chennai.
- 4.The Chief Educational Officer,
Trichy.



+1 CC to M/s.SPL GP (SR-103808[F] dated 06/12/2019)

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-103931[F] dated 06/12/2019)

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-104097[F] dated 09/12/2019)

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05.12.2019

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