



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.27107 of 2019

WEB COPY

K.Ravindran

... Petitioner

vs.

- 1.The State of Tamil Nadu ,
Represented by its Secretary School Education Department ,
Fort St.George ,
Chennai .
- 2.The Accountant General of Tamil Nadu,
(Accounts and Entitlements),
Chennai .
- 3.The Director of School Education ,
College Road,
Chennai .
- 4.The Chief Educational Officer ,
Virudhunagar District ,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to re-fix the pension by taking into account 50% of part time service rendered by the petitioner from 01.9.1981 to 31.03.1990 along with regular service based on his representation dated 23.06.2017, within a time frame as fixed by this Court.

For Petitioner	: Mr.B.Prahalad Ravi
For R1, R3 & R4	: Mr.M.Karuppasamy Government Advocate
For R2	: Mr.P.Gunasekaran

O R D E R

The Writ petition has been filed for a direction to the respondents to re-fix the pension by taking into account of 50% of part time service rendered by the petitioner from 01.9.1981 to 31.03.1990 along with regular service based on his representation dated 23.06.2017, within a time frame to be fixed by this Court.

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



3.The petitioner was appointed as Vocational Instructor on 01.09.1981. Subsequently, his service was regularised with effect from 01.04.1990. The grievance of the petitioner is that even though he had attained the age of superannuation on 30.04.2014, 50% part time service rendered by him has not been taken into consideration for calculating his pension. Admittedly, the petitioner was brought on regular time scale of pay before 2003. Hence, he made a representation, dated 23.06.2017 to the respondents to re-fix the pension by taking into account of the 50% of service rendered by him as Vocational Instructor along with regular service for the purpose of pensionary benefits. But, so far no action has been taken by the respondents. Hence, the petitioner is before this Court.

4.The learned Government Advocate appearing for the respondents 1, 3 and 4 and the learned counsel appearing for the second respondent would submit that the representation of the petitioner, dated 23.06.2017 will be considered in the light of the order passed in W.P(MD).Nos.22785 of 2019 etc., batch, dated 05.11.2019.

5.In view of the submission made by the learned Government Advocate appearing for the respondents 1,3 & 4 and the learned counsel appearing for the second respondent, the respondents are directed to consider the representation of the petitioner, dated 23.06.2017 for counting 50% of the service rendered by him as part time Vocational Instructor along with regular service for pensionary benefits by taking into account the order passed in W.P (MD).Nos.22785 of 2019 etc., batch, dated 05.11.2019 within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to send the copy of representation along with this order copy to the respondents.

6.With the above direction, this Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

- 1.The Secretary
State of Tamil Nadu
School Education Department
Fort St.George
Chennai
- 2.The Accountant General of Tamil Nadu
(Accounts and Entitlements)
Chennai
- 3.The Director of School Education
College Road
Chennai
- 4.The Chief Educational Officer
Virudhunagar District
Virudhunagar

+1 CC to MR.P.GUNASEKARAN, Advocate (SR-106310[F] dated 20/12/2019)

+1 CC to MR.B.PRAHALAD RAVI, Advocate (SR-106361[F] dated 20/12/2019)

+1 CC to SPL.GP (SR-106475[F] dated 27/12/2019)

W.P. (MD) No.27107 of 2019
20.12.2019

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