

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.3296 of 2020

N.Sridharan

... Petitioner

-Vs-

1.The Assistant Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai 600 006.

2.The Chief Educational Officer
Cuddalore District.

3.The Assistant Elementary Educational Officer
Elementary Educational Office,
Kattumannarkoil, Cuddalore District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents to consider and dispose of the petitioner representation dated 13.11.2019 by passing necessary for retirement benefits, salary increments, pensionary benefits to the petitioner as mentioned in order in G.O.No.80 dated 02.03.2016 by the Tamil Nadu Government within a stipulated time.

For Petitioner : Mr.V.Shanmugasundaram
For R1 to R3 : Mrs.V.Annalakshmi, GA

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to grant retirement and pensionary benefits of the petitioner, by considering the representation made by the petitioner on 13.11.2019.

2. The case of the petitioner is that he was serving as a Junior Assistant - Assistant Elementary Educational Office in Cuddalore District. His service was regularized and in the meantime, the petitioner also retired from service on 30.04.2018. The petitioner approached this Court and filed WP

No.25983 of 2018 seeking for the similar relief and this Court disposed of the writ petition by directing the respondents to consider the representation made by the petitioner and pass appropriate orders, within a stipulated time. Pursuant to the orders passed by this Court, the 2nd respondent by his order dated 30.06.2019 regularized the service of the petitioner. The grievance of the petitioner is that while passing the said order, the 2nd respondent has not considered the retirement and other pensionary benefits of the petitioner. Therefore, the petitioner again made a representation to the respondents asking for the retirement and other pensionary benefits. Since the same has not been considered by the respondents, the present writ petition has been filed before this Court.

3. Heard the learned counsel appearing for the petitioner.

4. The learned Government Advocate appearing on behalf of the respondents submitted that the petitioner was asked to furnish certain documents in order to process his papers to consider his retirement and pensionary benefits. However, those papers have not reached the 2nd respondent and that is the reason for the delay in passing orders.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the petitioner to furnish all the required documents to the 2nd respondent and the 2nd respondent, immediately on receipt of the same, is directed to pass necessary orders, within a period of four weeks from the date of receipt of copy of this order by sanctioning the retirement and pensionary benefits to the petitioner.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rka

To

1.The Assistant Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai 600 006.

2.The Chief Educational Officer
Cuddalore District.

3.The Assistant Elementary Educational Officer
Elementary Educational Office,
Kattumannarkoil, Cuddalore District.

+1cc to Mr.V.Shanmugasundaram , Advocate SR.No. 11157
+1 cc to Government Pleader Sr.No. 12426

W.P.No.3296 of 2020

A.SK(17/02/2020)



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