

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.5072 of 2020

M.Chinnamuthu

Petitioner

vs.

1. The Government of Tamil Nadu,
rep by its Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.
2. The Director of School Education,
College Road,
Chennai - 6.
3. The Accountant General (Account and Entitlement)
Officer of the Accountant General (Account and Entitlement),
Chennai - 600 018.
4. The Chief Education Officer,
Chief Education Office,
Dharmapuri District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 4th respondent to implement the 3rd respondent is proceeding dated 09.04.2018 and 24.05.2019 so as to enable to get re-employment pay and revised DCRG interest and GPF with interest to the petitioner by considering the representation dated 27.12.2019 with all consequential service and monetary benefits by this Court.

For Petitioner : Mr.P.Ganesan

For Respondents: Mr.A.Rajaperumal

Additional Government Pleader
for R1,R2 and R4

Mr.Vijaya Shankar for R3

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 4th respondent to implement the recommendations made by the 3rd respondent by his proceedings dated 09.04.2018 and 24.05.2019 and to pay the petitioner the revised DCRG and General Provident Fund with interest.

2.The case of the petitioner is that he was working as a Higher Secondary School Headmaster and he was due for retirement on 30.06.2016. By proceedings dated 29.06.2016, the 2nd respondent placed the petitioner under suspension and did not allow the petitioner to retire from his services. A charge memo was also issued against the petitioner. The petitioner filed W.P.No.24562 of 2016 before this Court challenging the same and the writ petition was allowed by an order dated 27.03.2017.

3.Subsequently, the charges were dropped and the 1st respondent by an order dated 30.06.2016 revoked the order of suspension and permitted the petitioner to retire from his services. The petitioner thereafter made a representation to the respondents to settle the entire terminal benefits. Certain amounts were settled in favour of the petitioner. The grievance of the petitioner is that there are certain amounts which are due and payable with interest to the petitioner and the same has not been settled till date. Therefore, the petitioner is also claiming for payment of interest on the delayed payment of the retiral benefits. The petitioner made a representation to the respondents on 27.12.2019. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

5.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 4th respondent to immediately act upon the representation made by the petitioner on 27.12.2019 and also the proceedings of the 3rd respondent dated 09.04.2018 and 24.05.2019 and deal with the same in accordance with law and implement the same, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 4th respondent along with a copy of the proceedings of the 3rd respondent dated 09.04.2018 and 24.05.2019 and a copy of the representation dated 27.12.2019 and a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.
2. The Director of School Education,
College Road,
Chennai - 6.
3. The Accountant General (Account and Entitlement)
Officer of the Accountant General (Account and Entitlement),
Chennai - 600 018.
4. The Chief Educational Officer,
Chief Educational Office,
Dharmapuri District.

+1cc to Mr. Vijayshankar sr 18296
+1cc to Mr. P. Ganesan sr 17791
+1cc to Government Pleader sr 18275

PVS (CO)
NSP (19/5/2020)

W.P No.5072 of 2020

WEB COPY