

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :05.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.31300 of 2013

N.Jothimani

.. Petitioner

- Vs -

1. The State of Tamil Nadu
rep by the Secretary to Government,
School Education Department,
Fort. St. George, Chennai 09.
2. The Director of School Education,
College Road,
Chennai -06.
3. The Director of Public Libraries,
Anna Salai, Chennai.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, to direct the respondents to count half of the service rendered by the petitioner in the post of Village Librarian from 6.7.1998 to 13.07.2006 along with her regular service in the post of Teacher Trainer from 14.07.2006 to 30.05.2016 as qualifying service under the Tamil Nadu Pension Rule 1978 and grant pension and other pensionary benefits to the petitioner to the petitioner under the Tamil Nadu Pension Rules 1978.

(Prayer amended vide order dated 05.10.2020 made in WMP.34300/2018)

For Petitioner : Mr.r.Premnarayan

For Respondents: Mr.S.Sureshkumar, G.A

ORDER

The writ petition was filed by the petitioner, to direct the respondents to count half of the service rendered by the petitioner in the post of Village Librarian from 6.7.1998 to 13.07.2006 along with her regular service in the post of Teacher Trainer from 14.07.2006 to 30.05.2016 as qualifying service under the Tamil Nadu Pension Rule 1978 and grant pension and

other pensionary benefits to the petitioner to the petitioner under the Tamil Nadu Pension Rules 1978.

2. According to the petitioner, the petitioner was initially appointed as a Village Librarian on 06.07.1988 i.e. prior to 01.04.2003. Subsequently petitioner got selected to the post of Teacher Trainer by the Teachers Recruitment Board and appointment order was issued on 14.07.2006 as Grade-III Librarian on 26.10.2006. The grievance of the petitioner is that his past services were not taken as qualifying service for the purpose of calculating his pensionable service. Therefore, the petitioner has filed the present petition with the above said prayer.

3. Though very many grounds have been raised in the writ petition, however, when the matter is taken up, learned counsel appearing for the petitioner submitted that it would suffice if this Court directs the respondents to consider the petitioner's representation dated 29.10.2013, in accordance with law, within a reasonable time as fixed by this Court.

4. On the above contention, this Court heard the learned Government Advocate appearing for the respondents, who has no serious objections to such a direction being passed.

5. In view of the limited relief sought for, without going into the merits of the issue, this Court directs the 1st respondent to consider the representation dated 29.10.2013 made by the petitioner in accordance with law and pass orders thereon within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed off. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

sd/-

Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
The State of Tamil Nadu
School Education Department,
Fort. St. George, Chennai 09.

2. The Director of School Education,
College Road,
Chennai -06.

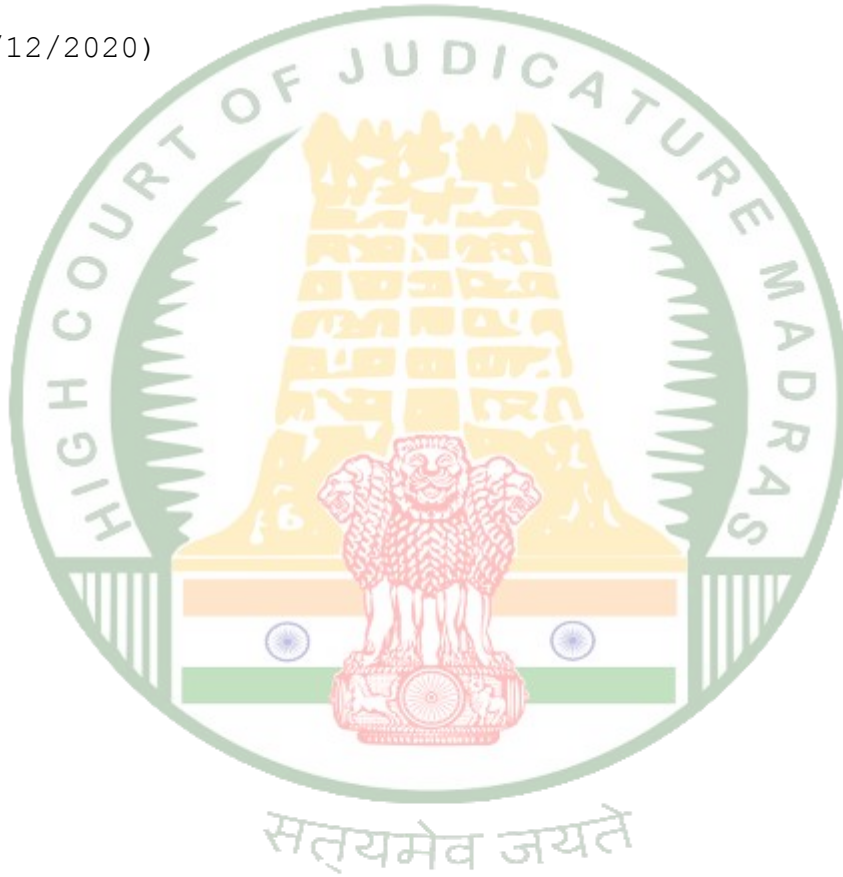
3. The Director of Public Libraries,
Anna Salai, Chennai.

+1cc to Mr.R.Prem Narayan, Advocate, S.R.No.32540

+1cc to the Government Pleader, S.R.No. 32888

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rr ii (10/12/2020)



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