

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2020

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.8300 of 2020
and WMP Nos.9950 and 9951 of 2020

J.Kabilar

.. Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep.by its Chief Secretary to Government,
Personnel & Administrative Reforms (S) Department,
Fort St.George, Chennai - 600 009.
- 2.The State of Tamil Nadu,
Rep.by its Chief Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.
- 3.The Commissioner of School Education,
O/o.The Commissioner of School Education,
College Road, Chennai - 600 006.
- 4.The Director of School Education,
O/o.The School Education Department,
College Road, Chennai - 600 006.
- 5.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Cuddalore District, Cuddalore.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in letter No.11308/S/ 2020-1 dated 14.05.2020 and quash the same as illegal and consequently direct the respondents to extend the benefits arising out of G.O.(MS).No.51, Personnel & Administrative Reforms (S) Department dated 07.05.2020 to the petitioner.

For Petitioner : Mr. Rajpal Singh

For Respondents: Mr.Vijay Narayan, Advocate General
Assisted by Mr.N.Inbanathan
Additional Government Pleader for R1

Mr. Arvind Pandian,
Additional Advocate General
Assisted by Mr.C.Munusamy,
Special Govt. Pleader for Education

ORDER

This matter is taken up for hearing through Video-Conferencing.

2. This Writ Petition has been filed by the petitioner/Teacher, who had attained the superannuation on 25.03.2020 contending that he is also entitled to the benefits of G.O.Ms.No.51 dated 07.05.2020 he seeks issuance of a writ of mandamus as aforesaid. It is not in dispute that the petitioner had attained the age of superannuation prior to the cut off date and has been re-employed in terms of G.O.249 dated 09.02.1959 till the end of the academic year i.e. up to 31-05-2020.

3. In similar Writ Petitions, viz. WP No.6442 of 2020 batch, the Madurai Bench of this Court, after exhaustive consideration of the law on the entitlement of the similarly placed persons to the benefits of the said Government Order, has held that they are not entitled to benefits of G.O.Ms.51 dated 07.05.2020. As a result, all the Writ Petitions have been dismissed. The order of Hon'ble Mr.Justice C.V.Karthikeyan, has also been made available.

4. In view of the same, I do not see any reason to entertain this Writ Petition. The Writ Petition is accordingly dismissed.

5. The directions issued by the Madurai Bench of Madras High Court, with reference to payment of retirement benefits shall also apply to the petitioner herein. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

jv

To

1.The Chief Secretary to Government,
State of Tamil Nadu,

Personnel & Administrative Reforms (S) Department,
Fort St.George, Chennai - 600 009.

2.The Chief Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St.George, Chennai - 600 009.

3.The Commissioner of School Education,
O/o.The Commissioner of School Education,
College Road, Chennai - 600 006.

4.The Director of School Education,
O/o.The School Education Department,
College Road, Chennai - 600 006.

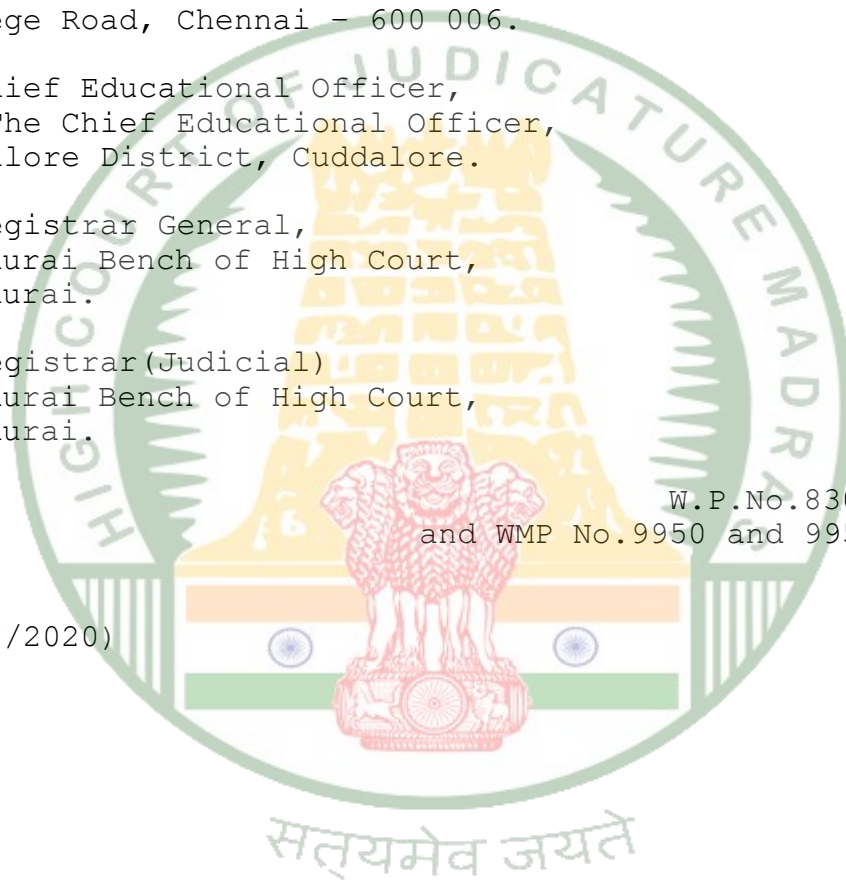
5.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Cuddalore District, Cuddalore.

6.The Registrar General,
Madurai Bench of High Court,
Madurai.

7.The Registrar(Judicial)
Madurai Bench of High Court,
Madurai.

W.P.No.8300 of 2020
and WMP No.9950 and 9951 of 2020

VGII (CO)
CB(31/07/2020)



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