

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2020

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.8311 of 2020

and

W.M.P.Nos.9966 and 9967 of 2020

J.Krishnakumar

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep.by its Chief Secretary to Government,
Personnel and Administrative Reforms (S) Department,
Fort St.George, Chennai - 600 009.
- 2.The Chief Secretary to Government,
Personnel and Administrative Reforms (S) Department,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.
- 3.The Chief Educational Officer,
Villupuram District,
Villupuram - 605 602.
- 4.The Block Education Officer,
Vallam Block,
Gingee Educational District,
Villupuram District - 604 206.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for Writ of Certiorarified Mandamus, calling for the records of the letter No.11308/S/2020-1 dated 14.05.2020 issued by the 2nd respondent and quash the same insofar as the said letter states that the G.O.Ms.No.51, Personnel and Administrative Reforms (S) Department, dated 07.05.2020 of the 1st respondent is not applicable to those teaching staff such as Teachers, Lecturers, Professors etc who have already retired prior to May, 2020 and consequently issue a direction directing the respondents to extend the benefit of G.O.Ms.No.51, Personnel and Administrative Reforms (S) Department dated 07.05.2020 passed by the 1st respondent to the petitioner and permit the petitioner to continue to function as

Middle School Headmaster in the Panchayat Union Middle School, Arugavur and Post, Gingee Taluk, Villupuram District till 31.05.2021.

For Petitioner : Ms.C.Uma

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

Mr.Vijay Narayan, Advocate General
Assisted by Mr.E.Manokaran
Spl. Govt. Pleader for Higher Education

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 20.04.2020 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 the 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 and Administrative Reforms (S) Department,
Fort St.George, Chennai - 600 009.
- 2.The Chief Secretary to Government,
Personnel and Administrative Reforms (S) Department,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.
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Villupuram - 605 602.
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W.P.No.8311 of 2020
and

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MG (CO)
KKV/23/07/2020

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