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WP(MD).Nos.9495 and 9499 of 2011

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE RMT. TEEKAA RAMAN
WP(MD).Nos.9495 and 9499 of 2011 and
M.P(MD).Nos. 1 and 1 of 2011

M. Santha : Petitioner in W.P(MD).No.
9495 of 2011

M.Philomin : Petitioner in W.P(MD).No.
9499 of 2011

Vs.

1. The Government of Tamil Nadu,
rep. by its Principal Secretary,
Department of School Education,
Fort. St. George, Chennai.

2.The Principal Secretary,
Social Welfare and Nutritious Meal Programme,
Government of Tamil Nadu,
Fort. St. George, Chennai.

3.The Director of School Education,
College Road, Nungampakkam,
Chennai - 600 006.

4.The Headmaster,
Government Higher Secondary School,
Karatttam Patti,
Trichy District.

5.Principal Accountant General,
(Account and Entitlements),
Tamil Nadu,
No.361, Anna Salai,
Chennai - 600 018.

... Respondents in
W.P(MD).No. 9495 of 2011

1. The Government of Tamil Nadu,
rep. by its Principal Secretary,
Department of School Education,
Fort. St. George, Chennai.

2.The Principal Secretary,
Social Welfare and Nutritious Meal Programme,
Government of Tamil Nadu,
Fort. St. George, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Director of School Education,
College Road, Nungampakkam,
Chennai - 600 006.

4.The Chief Educational Officer,
Trichy.

5.The Headmaster,
Government Higher Secondary School,
Puthunatham - 621 310,
Trichy District.

6.Principal Accountant General,
(Account and Entitlements),
Tamil Nadu,
No.361, Anna Salai,
Chennai - 600 018.

... Respondents in
W.P(MD).No. 9499 of 2011

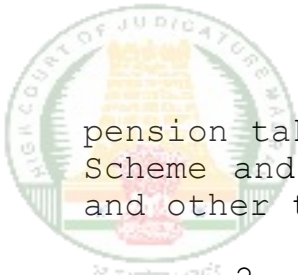
Prayer in W.P(MD).No.9495 of 2011: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned proceedings of the 5th respondent in G.P.F.No.14 / CPS / XV / 2010 -2011, dated 20.07.2010 and quash the same and direct the 5th respondent to fix the pension taking into account the petitioner's 50% service in Noon Meal Scheme and her entire service as B.T. Assistant and to pay pension and other terminal benefits.

Prayer in W.P(MD).No.9499 of 2011: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned proceedings of the 6th respondent in PEN 17 / I / 11703239/RTD/10-11, dated Nil, quash the same and direct the 6th respondent to fix the pension taking into account the petitioner's 50% service in Noon Meal Scheme and her entire service as B.T. Assistant and to pay pension and other terminal benefits.

For petitioner in both W.Ps. : Mr. M. Saravanan
For R1 to R4 in
WP(MD).No.9495 of 2011 : Mr.N.Shanmuga Selvam
For R1 to R5 in Additional Government Pleader
W.P(MD) No. 9499 of 2011
For R5 in WP(MD).No.9495 of 2011 : Mr. P. Gunasekaran
For R6 in W.P(MD) No. 9499 of 2011 Standing Counsel

COMMON ORDER

These Writ Petitions have been filed to quash the impugned orders dated 20.07.2010 and Nil respectively passed by the respondents 5 and 6 respectively and to direct them to fix the



pension taking into account the petitioners 50% service in Noon Meal Scheme and her entire service as B.T. Assistant and to pay pension and other terminal benefits.

2. Today, when the matters are taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that the similar issue is covered in the Full Bench decision of this Court, dated 03.12.2019 made in W.A.Nos.70 of 2018 etc., batch.

3. In view of the ratio laid down by the above said Full Bench decision of this Court, the petitioners herein are not entitled to the relief sought for in these Writ Petitions. Hence, these writ petitions are dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

trp

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. Principal Secretary,
Department of School Education,
Fort. St. George, Chennai.

2.The Principal Secretary,
Social Welfare and Nutritive Meal Programme,
Government of Tamil Nadu,
Fort. St. George, Chennai.

3.The Director of School Education,
College Road, Nungampakkam,
Chennai - 600 006.

4.The Chief Educational officer,

Trichy,

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WP(MD).Nos.9495 and 9499 of 2011

+1 CC to M/s.GP (SR-14114[F] dated 14/08/2020)

+2 CC to M/s.R. SUBRAMANIAN, Advocate (SR-14275[F] dated 17/08/2020)

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PRE-DELIVERY ORDER MADE IN
WP(MD) .Nos.9495 and 9499 of 2011 and
M.P(MD) .Nos. 1 and 1 of 2011
17.08.2020

KB(07.09.2020) 4P 8C