



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2020

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.12715 of 2020

Grace Ratinabai

...Petitioner

-Vs-

1. The Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai.

2. The District Educational Officer,
Tirunelveli,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider and pass appropriate orders on the petitioner's representation dated 31.05.2019 in the light of G.O.Ms.No.62, Finance (CMPC) Department, dated 09.03.2015 and G.O.Ms.No.90 School Education (PaKa 3(1)) Department, dated 09.05.2018.

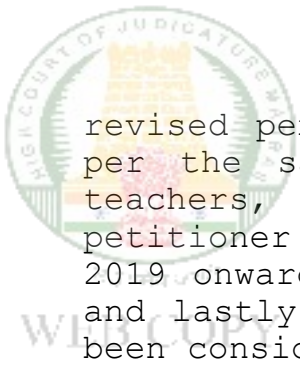
For Petitioner : Mr.B.S.Meltiue

For Respondents : Mr.M.Thilagar,
Government Advocate

O R D E R

The prayer sought for herein is for a Writ of Mandamus, to direct the respondents to consider and pass appropriate orders on the petitioner's representation dated 31.05.2019 in the light of G.O.Ms.No.62, Finance (CMPC) Department, dated 09.03.2015 and G.O.Ms.No.90 School Education (PaKa 3(1)) Department, dated 09.05.2018.

2. The petitioner after having worked for 39 years as Secondary Grade Teacher, retired from service on 31.12.2000. Though the petitioner after retirement is getting all retiral and pensionary benefits, her grievance is that, as per G.O.Ms.No.90 School Education (PaKa 3(1)) Department, dated 09.05.2018, her pay and pensionary benefits have been revised, and, accordingly, the



revised pension has to be paid. Since the said revised pension as per the said G.O. has already been given to the various other teachers, similarly placed as that of the petitioner, the petitioner has made a representation in this regard from the year 2019 onwards on the following dates i.e. on 18.07.2019, 19.07.2019 and lastly on 31.05.2019. Since all these representations have not been considered so far, the petitioner has approached this Court.

3. The learned counsel appearing for the petitioner would submit that, if the representations submitted by the petitioner is directed to be considered on merits and in accordance with law, especially in the context of the aforesaid G.O.Ms.No.90 School Education (PaKa 3(1)) Department, dated 09.05.2018 and orders are passed therein within a time frame, the petitioner would be satisfied.

4. However, Mr.M.Thilagar, learned Government Advocate appearing for the respondents would submit that, though the petitioner claimed to have given three representations, in none of the representations, the petitioner has given the details of in which School she joined originally. Since she claimed to have worked for 39 long years, what are all the Schools, where she served and from which School she retired from service. If these details are given, right from the date of appointment to retirement in detail, and if such a detailed representation is given by the petitioner, certainly, that would be taken into account and considered by the respondents on merits and in accordance with law.

5. I have heard the said submissions made by the learned counsel appearing for the petitioner as well as the respondents and in view of the stand taken by the learned Government Advocate appearing for the respondents, this Court is inclined to dispose of this writ petition with the following orders:

"that the petitioner along with a copy of this order shall send a detailed representation, where she must give details regarding from the date of appointment till the date of retirement, what are all the Schools and the locations she worked and from which School she last served and retired on superannuation. If these details are given in the representation to be submitted along with a copy of this order, such a representation shall be considered by the respondents within a period of eight weeks from the date of receipt of such representation along with a copy of this order and an order to that effect shall be passed on merits and in accordance with law and shall communicate the same to the petitioner."



6. With these directions, the writ petition is disposed of.
However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

WEB COPY

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sts

To:

1. The Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai.

2. The District Educational Officer,
Tirunelveli,
Tirunelveli District.

+1 CC to M/s.B.S. MELTIVE, Advocate (SR-18185[F] dated 28/09/2020)

+1 CC to M/s.GP (SR-18228&18479 [F] dated 28/09/2020)

Order made in

W.P. (MD) No.12715 of 2020

Dated:

28.09.2020

ARK(CO)

AP(18/12/2020) 3P 5C