



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.14039 of 2020

WEB COPY

D.Justin Anbudhas

... Petitioner

Vs.

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

2.The Director of School Education,
DPI Campus,
College Road,
Chennai-600 006.

3.The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.

4.The District Educational Officer,
Thoothukudi,
Thoothukudi District.

5.The District Educational Officer,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to compute the service from 01.10.1994 to 30.11.1998 rendered by the petitioner in the Rosammal Memorial Higher Secondary School, Tuticorin along with the service rendered in Scott Christian Higher Secondary School, Nagercoil from 01.06.2020 for service monetary as well as pensionary benefits by including the petitioner in the old pension scheme as per his PF No.317239 by considering the representation of the petitioner dated 04.12.2019 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.K.P.Narayanakumar
Special Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

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



2.This Writ Petition has been filed to direct the respondents herein to disburse the petitioner's terminal-cum-retirement benefits within a reasonable time as may be fixed by this Court.

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3.Mr.S.C.Herold Singh, learned counsel for the petitioner would submit that though the petitioner sought for larger relief, when matter is taken up for hearing, he restricts the relief to the extent that it would suffice to dispose of the representation, dated 04.12.2019 within the time frame. In the representation, the grievance of the petitioner is that his service from 01.10.1994 to 30.11.1998 is to be calculated along with present service. He also brought to the knowledge of this Court that after 30.11.1998, the petitioner has left the service for about 12 years and thereafter, on 01.06.2010, he was appointed as B.T.Assistant (History) in Scott Christian School, Nagercoil.

4.Mr.K.P.Narayanakumar, learned Special Government Pleader appearing for the respondent would submit that there is a difficulty in calculating four years of service along with present employment after twelve years of his unemployment. However, the representation of the petitioner will be disposed of on merits and in accordance with law within a time frame as fixed by this Court.

5.In view of the submission made by the learned counsel appearing on either side, this Court directs the third respondent to dispose of the petitioner's representation, dated 04.12.2019 within a period of six weeks from the date of receipt of a copy of this orders on merits and in accordance with law on merits and in accordance with law.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

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:-

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+1 CC to M/s.GP (SR-19915[F] dated 13/10/2020)

W.P.[MD]No.14039 of 2020
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CO(SRK)
AP (28.10.2020) 3P 7C