



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.11.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.15781 of 2020

WEB COPY

S.Josephine Mangayarkarasi

... Petitioner

vs.

- 1.State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of School Education,
Fort St. George, Chennai - 9.
- 2.The Director of School Education,
DPI Campus, Chennai - 6.
- 3.The Principal Accountant General (A & E),
O/o.the Principal Accountant General (A&E),
361, Anna Salai,
Chennai - 600 018.
- 4.The Chief Educational Officer,
Theni, Theni District.
- 5.The Headmaster,
Government Higher Secondary School,
Pannaipuram,
Tirunelveli District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to include the petitioner under Old Pension Scheme and disburse the retirement benefits of the petitioner with effect from 30.04.2016 including gratuity and other monetary benefits along with arrears within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For R-1, R-2 & R-4 : Mr.N.Shanmugaselvam,
Additional Government Pleader

For R-3 : Mrs.S.Mahalakshmi

ORDER

The Writ Petition is filed seeking a direction to the respondents to include the petitioner under Old Pension Scheme and disburse the retirement benefits of the petitioner with effect



from 30.04.2016 including gratuity and other monetary benefits along with arrears, within a stipulated time.

2. Heard the learned Counsel appearing for the petitioner, the learned Additional Government Pleader, who takes notice for the respondents 1, 2 & 4 and the learned counsel, who takes notice for the third respondent. In view of the order going to be passed, there is no need to issue notice to the fifth respondent.

3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that she was employed as a Teacher and her grievance is that though GPF account was maintained for her, other benefits as per the Tamil Nadu Pension Rules were not disbursed to her and in this regard, she made a representation to the respondents on 28.09.2020. Since the same has not been considered so far, the present Writ Petition is filed before this Court.

5. The learned Additional Government Pleader appearing for the second respondent submitted that the representation of the petitioner would be considered on merits and in accordance with law, within a time frame as fixed by this Court.

6. Considering the nature of the relief as sought for by the petitioner, without going into the merits of the case, the second respondent is directed to consider the representation of the petitioner dated 28.09.2020 seeking inclusion of her name and disburse the retirement benefits and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



- 1.The Principal Secretary,
State of Tamil Nadu,
Department of School Education, Fort St. George,
Chennai - 9.
 - 2.The Director of School Education, DPI Campus,
Chennai - 6.
 - 3.The Principal Accountant General (A & E),
O/o.the Principal Accountant General(A&E), 361, Anna Salai,
Chennai - 600 018.
 - 4.The Chief Educational Officer,
Theni,
Theni District.
- +1 CC to SGP (SR-21946[F] dated 11/11/2020)

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NA(CO)
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