



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 04.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.NO.29911 OF 2008

J.Vijayal

... Petitioner

.Vs.

1. The State of Tamilnadu rep. by its
Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

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

3. The Secretary,
Tamilnadu Public Service Commission,
Anna Salai, Chennai - 600 002.

4. The Auditor General,
Teynampet, Chennai - 600 018.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the records relating to the order passed in G.O.2(D) No.47 dated 13.09.2006 as confirmed in G.O.1(D)No.100 dated 14.03.2008 and quash the same and consequently direct the respondents herein to pay full pension to the petitioner from the date of retirement.

For Petitioner : Ms.P.Mahalakshmi
For Mr.K.Vijayakumar

For Respondents : Mr.C.Selvaraj
Government Advocate
For R1 and R2

Mr.Karthik Rajan
Standing Counsel for R3

Ms.T.S.Selvarani for R4



ORDER

Ms.P.Mahalakshmi, learned counsel representing the counsel on record for sole writ petitioner, Mr.C.Selvaraj, learned State counsel for Respondents 1 and 2, Mr.Karthik Rajan, learned Standing Counsel for 'Tamil Nadu Public Service Commission' (TNPSC) and Ms.T.S.Selvarani, learned counsel for fourth respondent, Auditor General, Teynampet, Chennai, are before this Virtual Court. To be noted, the cause list shows M.Devendran as Standing Counsel for TNPSC, but Mr.Karthik Rajan submits that he has replaced Mr.Devendran and has instructions to represent TNPSC and that he would file memo of appearance in the course of the day today.

2. Entire matter turns on an extremely narrow compass. The writ petitioner while working as Headmistress of Government High School, Emappur in 1999 was deputed to a valuation centre and this resulted in some charge turning on not being vigilant in her duty. Proceedings followed, but owing to the narrow compass on which the matter now turns, it will suffice to say that such proceedings resulted in 1/3rd cut in pension and a plea to review the Government order in this regard also did not yield any result leading to the captioned writ petition.

3. Rule nisi was issued and when this Court was in seizin of captioned writ petition, interim orders came to be made, more particularly an order dated 26.02.2010. Learned counsel for fourth respondent Ms.T.S.Selvarani confirms that pursuant to the interim order full pension has since been paid/disbursed to the writ petitioner.

4. Learned counsel for writ petitioner responding to this, says that if full pension has been paid to the writ petitioner, the purpose is served and nothing more would really remain in the writ petition for being pursued. Therefore, recording the stated position and affirmative submissions of learned counsel for fourth respondent, captioned writ petition is disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gpa



To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St.George,
Chennai - 600 009.
2. The Director of School Education,
College Road,
Chennai - 600 006.
3. The Secretary,
Tamilnadu Public Service Commission,
Anna Salai,
Chennai - 600 002.
4. The Auditor General,
Teynampet,
Chennai - 600 018.

+1cc to Mr.K.Vijayakumar, Advocate, S.R.No.37878
+1cc to Mr.Karthik Rajan, Advocate, S.R.No.38104
+1cc to the Government Pleader, S.R.No.38473

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GPL(CO)
PBS/26/08/2021