



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.09.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

WRIT APPEAL NO.2114 OF 2021

1. The Secretary to the Government,
School Education Department,
Fort St. George,
Chennai 600 009.
2. The Director of School Education,
DPI Complex, College Road,
Chennai 600 006.
3. The Chief Educational Officer,
Kancheepuram.
4. The District Educational Officer,
St. Thomas Mount,
Chennai 600 044.

... Appellants/
Respondents 1, 3, 4 & 5

vs.

1. S.H.Vasanthakumari
2. The Accountant General (Pension),
No.361, Anna Salai,
Teynampet, Chennai 600 018.
3. The C.S.I. St. Thomas Higher Secondary School,
rep. by its Secretary R.Gladwin Gabriel,
No.47, Butt Road,
St. Thomas Mount,
Chennai 600 016.

... Respondents/
Petitioner/Respondent 2 & 6

Prayer:-

Writ Appeal filed under Clause 15 of Letters Patent against the order dated 29.01.2020 passed by this Court in W.P.No.2052 of 2020.



Prayer in W.P.No.2052 of 2020:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of order or Direction more fully in the nature of Writ of Mandamus directing the 2nd respondent to count the 50% of service rendered by the petitioner from 15/10/1985 to 04/10/1996 (10 years 11 months and 19 days) for the purpose of commutation of pension and other benefits based on the proposal submitted by the school management to the 5th respondent.

For Appellants : Mr.K.V.Sajeew Kumar,
Government Advocate

For Respondents : Mr.K.H.Ravikumar

J U D G M E N T

(Judgment of the Court delivered by S.VAIDYANATHAN,J.)

This Writ Appeal is directed against the order dated 29.01.2020 passed by this Court in W.P.No.2052 of 2020.

2. In the Writ Petition, the Writ Petitioner, who is the 1st Respondent herein had sought for a direction to the Accountant General (Pension), Chennai, to count 50% of the service rendered by her from 15.10.1985 to 04.10.1996, for the purpose of commutation of pension and other benefits based on the proposal submitted by the School Management to the District Educational Officer, Chennai.

3. The learned Single Judge, while considering the plea of the Writ Petitioner, has taken note of the decision rendered by the Division Bench of this Court in the case of Government of Tamil Nadu vs. M.Muthuramalingam in W.A.No.3077 of 2019 vide judgment dated 13.09.2019, with reference to G.O.Ms.No.194, dated 12.09.2018, and directed the District Educational Officer, Chennai, to count 50% of the service rendered by the Writ Petitioner from 15.10.1985 to 04.10.1996 for the purpose of commutation and other benefits, within a period of six weeks from the date of receipt of the records, with a further direction to forward the entire records to the Accountant General (Pension), Chennai, within a period of two weeks from the date of receipt of the order.

4. We do not find any error in the order passed by the learned Single Judge. Accordingly, the Writ Appeal stands dismissed. However, time granted by the learned Single Judge is



extended by two months from the date of receipt of a copy of this judgment.

No costs. Consequently, connected C.M.P.No.13383 of 2021 is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Accountant General (Pension),
No.361, Anna Salai, Teynampet,
Chennai 600 018.
2. The Secretary to the Government,
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5. The District Educational Officer,
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Chennai 600 044.
6. The Secretary R.Gladwin Gabriel,
C.S.I. St.Thomas Higher Secondary School,
No.47, Butt Road,
St.Thomas Mount, Chennai 600 016.

+1cc to Mr.K.H.Ravikumar, Advocate, S.R.No.43755
+1cc to the Government Pleader, S.R.No.44557

WRIT APPEAL No.2114 OF 2021

LN(CO)
PM/21/09/2021