

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.2473 of 2014

M.Thangammal

... Petitioner

Vs

1.The Principal Accountant General,
(Accounts & Establishments),
381, Anna Salai, Chennai.

2.The Government of Tamil Nadu,
Rep. by the Secretary to Government,
Social Welfare and
Noon Meal Scheme Department,
Fort St.George, Secretariat,
Chennai - 600 009.

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

4.The Head Master,
Government Higher Secondary School,
Kozhikal Natham,
Tiruchengode Taluk,
Namakkal District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 4th respondent to resubmit the petitioner's pension proposal to the 1st respondent who in turn shall be directed to reconsider his pension proposal, in the light of G.O.Ms.No.6 dated 06.01.2010 passed by the 2nd respondent.

For Petitioner : Mr.N.Manokaran

For R2 & R3 : Mr.J.Ramesh, AGP

ORDER

The relief sought for in this writ petition is to direct the 4th respondent to resubmit the petitioner's pension proposal to the 1st respondent and consequently direct the first respondent to reconsider the said pension proposal, in the light of G.O.Ms.No.6 dated 06.01.2010 passed by the 2nd respondent.

2. According to the petitioner, she was appointed as Aganwadi Worker in the Child Welfare Centre on 01.07.1972 and later she was absorbed as a full time employee and brought under regular time scale of pay and she retired from service as Art Teacher in the Government Higher Secondary School, on attaining superannuation on 31.05.2012. The petitioner further stated that as per G.O.Ms.No.6 dated 06.01.2010, 50% of services rendered by the petitioner on consolidated pay have to be considered for the purpose of pension. Though the pension papers were forwarded to the 1st respondent vide proceedings dated 21.07.2012, the 1st respondent returned the same raising certain queries and the same are yet to be complied with till date. Hence, this writ petition.

3. Heard both sides and perused the materials placed before this Court.

4. Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court, without going into the merits of the case, directs the 4th respondent to resubmit the pension proposals of the petitioner to the 1st respondent within a period of four (4) weeks from the date of receipt of copy of this order. On receipt of the said pension proposals, the 1st respondent shall consider the same in the light of G.O.Ms.No.6 dated 06.01.2010 and pass appropriate orders on merits and in accordance with law, within a period of six (6) weeks thereafter.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

mtl

To

1.The Principal Accountant General,
(Accounts & Establishments),
381, Anna Salai, Chennai.

2.The Government of Tamil Nadu,
Rep. by the Secretary to Government,
Social Welfare and
Noon Meal Scheme Department,
Fort St.George, Secretariat,
Chennai - 600 009.

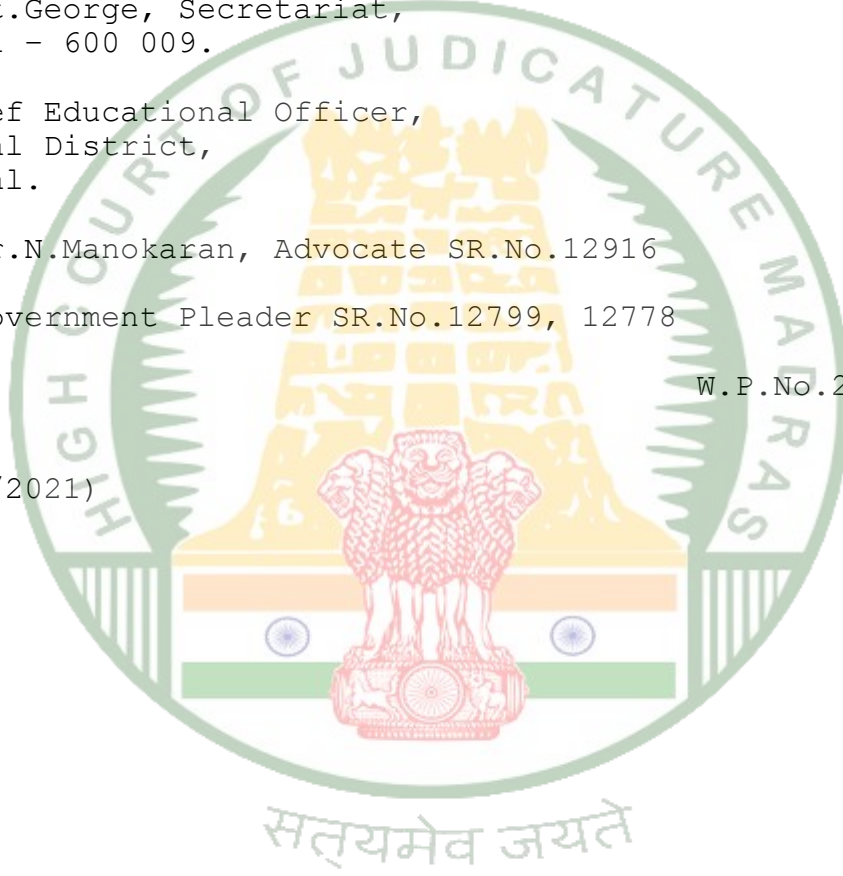
3.The Chief Educational Officer,
Namakkal District,
Namakkal.

+1cc to Mr.N.Manokaran, Advocate SR.No.12916

+2cc to Government Pleader SR.No.12799, 12778

W.P.No.2473 of 2014

GMV (02/07/2021)



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