



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.2614 of 2017

and

W.M.P(MD)No.17183 of 2017

K.Chithra Devi

... Petitioner

Vs.

1.The District Educational Officer,
Srivilliputhur,
Virudhunagar District.

2.R.V.Thevar Memorial Girls High School,
Cholapuram,
Rajapalayam,
Virudhunagar District,
By its Secretary.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to regularize the service of the petitioner from her initial date of appointment on 17.06.1986 for the purpose of pension with other consequent monetary benefits in the light of the judgment of Division Bench of this Court passed in W.A(MD) Nos.291 and 292 of 2008, dated 26.06.2008 and based upon the petitioner's representation dated 29.08.2016.

For Petitioner	: Mr.K.Kannan
For R1	: Mr.C.M.Marichelliah Prabhu Additional Government Pleader
For R2	: Mr.S.Sivaprakash (No appearance)

O R D E R

This Writ Petition is filed for a direction to the first respondent to regularize the service of the petitioner from her initial date of appointment on 17.06.1986 for the purpose of pension with other consequent monetary benefits, in the light of the judgment of the Division Bench of this Court passed in W.A(MD) Nos.291 and 292 of 2008, dated 26.06.2008 and based upon the petitioner's representation dated 29.08.2016.



2.The case of the petitioner is that she was appointed as Headmaster in the second respondent School in the year 1986 and her appointment was approved in the year 1991. Subsequently, the petitioner was retired from service on 31.08.2012. Thereafter, the service of the petitioner for the period between 17.06.1986 and 16.06.1991, was not taken into account for the purpose of pension and annual increment. Hence, the petitioner has made a representation 29.08.2016 to the respondents. So far no order has been passed. Hence, the present writ petition is filed.

3.The learned Additional Government Pleader appearing for the first respondent submitted that the petitioner's representation was rejected on 18.09.2017.

4.The learned counsel appearing for the petitioner submitted that this Court may grant liberty to the petitioner to work out her remedy in the manner known to law.

5.Considering the above arguments, this Court is of the considered opinion that the petitioner's representation was rejected on 18.09.2017 and hence, the prayer sought for in this Writ Petition cannot be granted. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to work out her remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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

1.The District Educational Officer,
Srivilliputhur,
Virudhunagar District.

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



2.The Secretary,
R.V.Thevar Memorial Girls High School,
Cholapuram,
Rajapalayam,
Virudhunagar District,

WEB COPY

+1 CC to SPL GP (SR-10116[F] dated 10/03/2021)

W.P. (MD)No.2614 of 2017
and
W.M.P (MD)No.17183 of 2017
09.03.2021

KM (25.03.2021) 3P 4C