



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.15332 of 2011

V.Vijayalakshmi

... Petitioner

Vs.

1. The Government of Tamil Nadu,
represented by the 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 Chief Educational Officer,
Coimbatore District,
Coimbatore.
4. The District Educational Officer,
Coimbatore,
Coimbatore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the 1st respondent in relation to the proceedings issued in Letter No.24049/M2/2008-3 dated 24.11.2010 and quash the same and direct the respondents to count the petitioner's service rendered for a period from 24.05.1983 to 12.04.1995 in Sri Ramakrishna Steel Industries Matriculation Higher Secondary school, Karadmadi, Mettupalayam Taluk, Coimbatore District along with the petitioner's service as B.T. Assistant (Tamil) rendered in Government service for a period from 17.03.1998 to 31.10.2005 for the purpose of pensionary benefits and to grant pension and other terminal benefits.

For Petitioner : Mr.R.Saseetharan

For Respondents R1 to R4 : Mr.P.Anand Kumar,
Government Advocate



ORDER

This writ petition is filed to issue a Writ of Certiorarified Mandamus calling for the records of the 1st respondent in relation to the proceedings issued in Letter No.24049/M2/2008-3 dated 24.11.2010 and quash the same and direct the respondents to count the petitioner's service rendered for a period from 24.05.1983 to 12.04.1995 in Sri Ramakrishna Steel Industries Matriculation Higher Secondary school, Karadmadi, Mettupalayam Taluk, Coimbatore District along with the petitioner's service as B.T. Assistant (Tamil) rendered in Government service for a period from 17.03.1998 to 31.10.2005 for the purpose of pensionary benefits and to grant pension and other terminal benefits.

2. The short question that arises for consideration is whether for the purpose of counting of service to decide the eligibility to pension in terms of pension rules, it is permissible to take into account the services rendered in recognized Matriculation School.

3. It is submitted by both the learned counsel appearing for the petitioner as well as the respondents that the issues stands resolved against the petitioner by the Division Bench of this Court in Writ Appeal No.1267 of 2014 dated 05.07.2018. Thus, the present petition is disposed in terms of W.A.No.1267 of 2014 dated 05.07.2018.

4. Learned counsel for the petitioner submits that liberty may be granted to the petitioner to approach the Government under Section 82. This Court is of the view that, it is open to the petitioner to invoke Section 82, if they are entitled and if so advised for which liberty of this Court may not be necessary.

6. Accordingly, this Writ Petition is dismissed. No Costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
The Government 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 Chief Educational Officer,
Coimbatore District,
Coimbatore.

4. The District Educational Officer,
Coimbatore,
Coimbatore District.

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NR (CO)
CT 23/05/2022