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CONT.P. No. 1849 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2022

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CONT.P. No.1849 of 2013

K.Michael Antony,
Headmaster(Retired),
St. Francis Higher Secondary School,
Vencode, Kanyakumari District 629 171

.. Petitioner

Vs.

1. Mrs.Sabitha
Secretary to Government of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai – 600 009.
2. K.Devarajan,
The Director of School Education,
College Road, Chennai-600 008.
3. A.S.Radha Krishnan
The Chief Educational Officer,
Nagercoil- 629 001.
4. D.Josephraj,
The District Educational Officer,
Kuzhithurai- 629 179,
Kanyakumari District.

.. Respondents

PRAYER: Contempt Petition filed under Article 215 of the Constitution of India with Sections 11 and 12 of the Contempt of Courts act 1971 praying for punishing the respondent for wilful and deliberate disobedience and defiance of



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the orders of this Hon'ble Court dated 13.04.2010 in W.P.No.5672 of 2002.

For Petitioner : Ms.Mary Sowmi Rexi

For M/S. Issac Mohanlal,

For Respondents : Mr.V.Nanmaran, AGP

ORDER

The learned counsel for the petitioner has submitted that the respondent has paid monetary benefits to the petitioner but has not settled the amount for the disputed period as directed by this Court in W.P.No.5672 of 2002 dated 13.04.2010.

2. The learned Additional Government Pleader has submitted that the 4th respondent has filed an affidavit in the contempt petition stating that the revised pension proposal has been forwarded to the Accountant General and the Accountant General vide communication dated 27.05.2019 authorised the revised pension vide proceedings No. AG (A&E)/PEN: P25/5/Rev/12519241 PPO No/C 615578, dated 27.05.2019

3. The learned Additional Government Pleader has further submitted that the petitioner has to appear before the Treasury Officer, Nagercoil to process the revised pension papers and therefore the respondent had complied with the order of this Court dated 13.04.2010 made in W.P.No.5672 of 2002 and prayed to close the contempt petition.



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4. At this juncture, the learned counsel for the petitioner has brought to the notice of this Court that the petitioner died on 13.01.2022 and therefore the legal heirs of the deceased petitioner are entitled for the aforesaid revised pensionary benefits.

5. Recording the statement made by the learned Additional Government Pleader and the affidavit filed by the 4th respondent, the contempt petition is closed. Liberty is granted to the legal heirs of the deceased petitioner shall approach the Superintendent, District Treasury Officer, Nagercoil along with the necessary documents to claim the revised pensionary benefits of the deceased petitioner in accordance with law.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

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//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/23/02/2022

To

1. The Secretary to Government of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai – 600 009.



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2. The Director of School Education,
College Road, Chennai-600 008.

3. The Chief Educational Officer,
Nagercoil- 629 001.

4. The District Educational Officer,
Kuzhithurai- 629 179,
Kanyakumari District.