



WEB COPY



W.P.No.27908 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.27908 of 2022

P.Duraikannu

... Petitioner

Versus

1. The State of Tamil Nadu,
Rep by the Secretary to Government,
Education Department,
Fort St.George,
Chennai-9.
2. The Director of School Education,
College Road,
Chennai-09.
3. The Chief Educational Officer,
Thiruvannamalai District.
4. The District Educational Officer,
Thiruvannamalai District.
5. The Head Master,
Government Girls Higher Secondary School,
Polur, Tiruvannamalai – 606 803.

... Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to grant monetary benefits to the petitioner with effect from 31.10.2001 the date of petitioner's regularisation of service as per G.O.Ms.No.247 School Education (R1) Department dated 03.10.2012 and consequently direct the respondent to



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pay pension from the date of petitioner retirement within the stipulated period of time.

For Petitioner : Ms.Isairani Narasimman

For Respondents : Mr.C.Sathish
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to grant monetary benefits to the petitioner with effect from 31.10.2001 being the date of his regularisation of service as per G.O.Ms.No.247, School Education (R1) Department dated 03.10.2012 and consequently direct the respondents to pay pension from the date of petitioner's retirement within a time frame to be fixed by this Court.

2. Heard Ms.S.Esairani Narasimhan, learned counsel for the petitioner and Mr.C.Sathish, learned Government Advocate accepts notice on behalf of the respondents. By consent of both the parties, the main writ petition has been taken up for final disposal.

3. There is no acknowledgement card for the petitioner's representation seeking for the aforementioned relief. The petitioner will have to give a fresh representation.



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4. No prejudice would be caused to the respondents if the petitioner is permitted to give fresh representation, seeking for the aforementioned relief and a direction is issued to the respondents to consider the same on merits and in accordance with law.

5. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the fourth respondent, seeking for grant of monetary benefits to the petitioner with effect from 31.10.2001 being the date of the petitioner's regularisation of service as per G.O.Ms.No.247 School Education (R1) Department dated 03.10.2012 within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the fourth respondent shall pass orders on merits and in accordance with law on the petitioner's representation within a period of twelve weeks from the date of receipt of a copy of this order.

With the aforesaid direction, the writ petition is disposed of. No costs.

19.10.2022

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Index: Yes/No

Speaking Order/Non-Speaking Order



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ABDUL QUDDHOSE, J.

sr

To

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