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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2022

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. NO. 7958 OF 2017

AND

W.M.P. NO. 8711 OF 2017

M.Jyotshna

... Petitioner

-vs-

1. Central Board of Secondary Education
Rep. By its Secretary
PS-1-2, Institutional Area Extension
Patparangi, Delhi - 110 092.
2. The Director, Ordnance Factory Board
Esplanade East, Kolkata - 700 069.
3. The General Manager
Heavy Vehicles Factory, Avadi.
4. The Chairman
HVF English Medium Educational Society
Vijayanta Senior Secondary School
HVF Estate, Avadi, Chennai - 600 054.
5. The Secretary
HVF English Medium Educational Society
Vijayanta Senior Secondary School
HVF Estate, Avadi, Chennai - 600 054.

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Second to Fifth Respondents to treat the service of the Petitioner as one in regular service till 31.03.2020 and grant the service benefits to which she is entitled to.



For Petitioner : Mr. C.K.Chandrasekhar

For Respondents: Mr. G.Nagarajan (For R1)

Mr. B.Sudhir Kumar (For R2)

Senior Central Government Standing Counsel

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O R D E R

Heard Mr. C.K.Chandrasekhar, Learned Counsel for the Petitioner, Mr. G.Nagarajan, Learned Counsel for the First Respondent and Mr. B.Sudhir Kumar, Learned Senior Central Government Standing Counsel appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance sought to be ventilated by the Petitioner in this Writ Petition is that she was entitled to continue in service till she attained 60 years, which is the age of superannuation, but the Fourth and Fifth Respondents were attempting to relieve her from service on completing 58 years of age. In such circumstances, the Petitioner had sought for a direction to the Second to Fifth Respondents to treat her as regular service employee till 31.03.2020 and grant the entitled service benefits that would be due to her.

3. It has been brought to notice that at the admission on 05.04.2017, this Court has relied on an earlier order dated 30.03.2016 in W.P. No. 1535 of 2016 and W.M.P. No. 1309 of 2016 and permitted the Petitioner to continue in service till further orders.

4. According to Learned Counsel for the Petitioner, in furtherance thereto, the Petitioner had continued in service till 31.03.2020 when she attained the age of superannuation and her terminal benefits have also been settled. In view of the same, nothing remains for further consideration in this Writ Petition. However, it is made clear that if the Petitioner still has any grievance to be redressed in the matter, she is not precluded from working out her remedies before the proper forum in the manner recognized by law.



In the result, the Writ Petition is disposed. Consequently, connected miscellaneous Petition is closed. No costs.

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Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Maya

To

1. The Secretary
Central Board of Secondary Education
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W.P. No. 7958 of 2017

AJB (CO)
PM/16/02/2022