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W.P.No.32647 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.32647 of 2018
and
W.M.P.No.37858 of 2018

Vasu.Thamizharasan
Representing his Late.Wife.P.Rukmani
Retd.Tamil Pandit Pension PPO No.C174964/ED(G)
Government Girls Higher Secondary School,
Ulundurpet & Post,
Villupuram District – 606 107.

...Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented by the Secretary to Government,
School Education Department,
Secretariat, Fort.St.George,
Chennai – 600 009.
- 2.The Director of School Education,
College Road, Nungambakkam, Chennai – 6.
- 3.The Chief Educational Officer,
Villupuram, Villupuram District.
- 4.The Head Master,
Government Girls Higher Secondary School,
Ulundurpet & Post,
Villupuram District – 605 107.



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5. The Accounts Officer (Pension)

The Office of the Principal Accountant General,
(Accounts and Entitlements)

361, Anna Salai, Chennai – 600 018,
Tamil Nadu.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records relating to the order in PEN13/IV/11308446/Rn/14-15/ADK/273 dated 10/10/2014 of the 5th respondent herein and quash the same and to direct the 5th respondent to sanction the Revised Pension Proposals of the petitioner's wife Late.Rukamani sent by the 4th Respondent in his proceedings Na.Ka.No.227/2014 dated 25.08.2014 in pursuance of the order of the Hon'ble Court in W.P.8989 of 2012 Judgment dated 10.04.2012 (61th Petitioner)

For Petitioner : Mr.K.Thennan

For R1 to R4 : Mrs.S.Mythreyechandru
Special Government Pleader

For R5 : Mr.S.Mahesh
For Mr.V.Vijay Shankar

ORDER

The learned counsel for the petitioner made a submission that the petitioner is entitled for the revision of pension pursuant to the common judgment of this Court dated 09.12.2016 in Review Application No.227 of



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2015 & etc., batch. The Revision is to be effected based on the Government order issued in G.O.Ms.No.216, Finance (P.C) Department dated 22.03.1993. Following the Full Bench judgment, the other writ petitions were also disposed of by order dated 20.12.2019 in W.P.Nos.34010 to 34026 and 34070 to 34077 of 2015.

2. The learned Special Government Pleader appearing on behalf of the respondents 1 to 4 made a submission that based on the judgment, the Government issued an order in G.O.Ms.No.90, School Education (3(1) Department dated 09.05.2018 and in compliance with the Government order, the benefits are to be settled in favour of the eligible employee.

3. The learned Special Government Pleader also made a submission that the petitioner in the present writ petition is eligible to avail the benefits based on the judgment and G.O.Ms.No.90, School Education (3(1) Department dated 09.05.2018.



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4. Thus, the respondents are directed to settle the eligible benefits as per the Government orders cited *supra* within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With this direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

17.10.2022

Index : Yes
Speaking order: Yes
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To

1. The Secretary to Government,
Government of Tamil Nadu,
School Education Department,
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S.M.SUBRAMANIAM, J.

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