



W.P.(MD)No.11164 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.11.2022**

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.11164 of 2015

and

M.P.(MD)No.1 of 2015

S.Sivagami Ammal

... Petitioner

Vs.

1. The Principal Secretary to the Government
Finance (Pension) Department,
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Director of School Education,
College Road,
Nungambakkam,
Chennai – 600 006.
3. The Chief Educational Officer,
O/o. Chief Educational Officer,
Tirunelveli.
4. The District Educational Officer,
O/o. District Educational Officer,
Cheranmahadevi Education District,
Tirunelveli – 1.



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5. The Correspondent,
Chathiram Bharathi Higher Secondary School,
Kadayam,
Tirunelveli District.

6. The Accountant General,
Teynampet,
Chennai – 600018.

... Respondents

*(R-6, suo motu impleaded, vide Court Order,
dated 28.11.2022 in W.P.(MD)No.11164 of 2015)*

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the Respondents resulting in the fourth Respondent's Impugned Order, dated 16.06.2011 passed in O.Mu. No. 1569/A3/2011 and quash the same and consequently, direct the Respondents to revise the pension as Rs.1,760/- instead of Rs.1,375/- per month.

For Petitioner : Mr.V.R.Venkatesan

For R1 to R4 : Mrs.D.Farjana Ghoushia
Special Government Pleader



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ORDER

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This writ petition is filed challenging the impugned order, dated 16.06.2011 and consequently, direct the respondents to revise the pension as Rs.1,760/- instead of Rs.1,375/- per month. The petitioner is relying on the communication dated 16.06.2011, but the respondents have not considered the case of the petitioner based on the said communication.

2. On perusing the papers it is seen that the appropriate authority is the Accountant General to consider the petitioner's case. However, the petitioner has not impleaded the Accountant General in this writ petition. Therefore, this Court, Suo Motu impleaded the Accountant General, Teynampet, Chennai - 600018.

3. Therefore, this Court deems it fit to remit back the case to the Accountant General. The Accountant General shall peruse the service records of the petitioner. Thereafter, fix the appropriate pension



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to the petitioner. Hence, this Court is passing the following order:

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(i) The petitioner is at liberty to submit representation to the Accountant General.

(ii) The Accountant General shall consider and pass orders in the light of the communication dated 16.06.2011 and also shall consider as per the relevant Government Order that is applicable to the petitioner.

(iii) The respondents are directed to send a copy of the order to the Accountant General.

4. With the above said direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

28.11.2022

Index : Yes / No
Internet : Yes / No
jbr



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To

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S.SRIMATHY, J

jbr

Order made in
W.P.(MD)No.11164 of 2015

28.11.2022