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W.P.No.23416 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.23416 of 2012

S.Bagavath Singh

... Petitioner

Vs.

- 1.The Government of Tamilnadu,
represented by the Secretary to the Government,
School Education Department,
Fort St.George, Chennai 600 009
- 2.The Director of School Education,
Chennai 600 006
- 3.The District Educational Officer,
Chennai(North), Egmore,
Chennai 600 008

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the respondents to take into account the Untrained Teacher Service rendered by the petitioner from 01.02.1966 to 23.04.1971 for the purpose of calculating pension and other retirement benefits.

For Petitioner : Mr.P.Mohanraj

For Respondents : Mr.L.S.M.Hasan Fizal,



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Additional Government Pleader

ORDER

This writ petition has been filed for direction to the respondents to take into account the Untrained Teacher Service rendered by the petitioner from 01.02.1966 to 23.04.1971 for the purpose of calculating pension and other retirement benefits.

2. Heard, the learned counsel appearing on either side.

3. The petitioner had retired from service as BT Assistant on 31.03.2000. He received all terminal benefits and he is now receiving pension. However, he submitted representation to take into account his Untrained Teacher Service from 01.02.1966 to 23.04.1971 for the purpose of calculation of pension stating that a similarly placed person approached this Court and this Court directed to take into account his Untrained Teacher Service to calculate his pension and other benefits.

4. It is seen that the petitioner had retired from service on



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31.03.2000 itself. After period of twelve years from his retirement, he filed this writ petition. He had been watching the proceedings of the other person and after an order passed in his favour, the petitioner approached this Court. As such, he is nothing but a fence sitter. That apart, only on the direction issued by this Court, a similarly placed person's request was considered. Therefore, the petitioner is not entitled for any relief. As such, this writ petition is devoid of merits and liable to be dismissed.

5. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

04.09.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

1. Secretary to the Government,
The Government of Tamilnadu,
School Education Department,
Fort St.George, Chennai 600 009
2. The Director of School Education,
Chennai 600 006
3. The District Educational Officer,
Chennai(North), Egmore,
Chennai 600 008
4. The Government Advocate,
High Court, Madras.

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