



WEB COPY



W.P. No. 11365 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2023

CORAM

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

W.P. No. 11365 of 2023

and

W.M.P. Nos. 11257 and 11258 of 2023

M. Christy Vanitha Evelyn,
W/o. U.Gandhi,
Secondary Grade Teacher (Retired),
C.S.I. Boys Higher Secondary School,
Dharapuram,
Tiruppur District.

... Petitioner

-VS-

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort. St. George,
Chennai – 600 009.
2. The Commissioner,
Directorate of School Education,
DPI Campus, College Road,
Chennai – 600 006.
3. The Chief Educational Officer,
Collectorate Office,
Tiruppur District,
Tiruppur.
4. The Chief Educational Officer,
Trichy District,
Syed Mudirsha Government
Hr. Sec. School Compound,
Madurai Road, Trichy – 620 008.



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5. The District Educational Officer (Secondary),
Collectorate Office,
Tiruppur Educational District,
Tiruppur.
6. The District Educational Officer (Secondary),
Trichy Educational District,
Old Collector Office,
Trichy.
7. The Bishop and Manager of all Diocese Schools,
CSI Tiruchirapalli – Thanjavur Diocese,
Diocesan Office,
Puthur, Trichy – 620 017.
8. The Correspondent,
Bishop Heber Higher Secondary School,
Puthur, Trichy – 620 017.
9. The Correspondent,
C.S.I. Boys Higher Secondary School,
Dharapuram – 638 656,
Tiruppur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus to Call for the records relating to the impugned proceedings issued by the Third Respondent in Na.Ka.No. 11670/Aa2/2022 dated 03.11.2022 and the subsequent impugned proceedings issued by the Fifth Respondent in Na.ka. No. 5777/Aa3/2022 dated 14.11.2022 and the consequential impugned order issued by the Ninth Respondent In Na.Ka. No.24/2022 dated 24.11.2022 and to quash the same in so far as directions for treating the period of service from 01.06.2015 to 03.10.2018 'as eligible leave' period is concerned and consequently directing the Respondents to treat the period of service from 01.06.2015 to 03.10.2018 as compulsorily waited by the petitioner as 'duty period' and to settle the retirement benefits including regular pension from the date of retirement on



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31.05.2022, with all consequential benefits including interest for any delay in payment.

For Petitioner : Mr. J.Jayamalan
For Respondents : Mrs. R.Anitha,
Special Government Pleader
(for R1 to R6)

ORDER

Heard Mr. J.Jayamalan, Learned Counsel for the Petitioner and Mrs. R.Anitha, Learned Special Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition challenges Orders in Na. Ka. No. 11670/ Aa2/2022 dated 03.11.2022 passed by the Third Respondent, Na. Ka. No. 5777/ Aa3/2022 dated 14.11.2022 passed by the Fifth Respondent and Na. Ka. No. 24 of 2022 dated 24.11.2022 passed by the Ninth Respondent. On perusal of the said orders, it is evident that the Petitioner has been required to furnish certain details for payment of her terminal benefits. However, it is the contention of the Petitioner that there are certain errors in the impugned orders, which require correction by the concerned authorities. In that event, it would not be possible



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to delve into the merits of the controversy and the only appropriate remedy for the Petitioner would be only to make representation indicating the rectification necessary in that regard. Depending upon its outcome, the Petitioner may pursue further course of action in the matter.

In fine, the Writ Petition is dismissed with the aforesaid observations. Consequently, the connected Miscellaneous Petitions are closed. No costs.

13.04.2023

skr

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 06.10.2023

To

1. The Principal Secretary to Government of Tamil Nadu,
School Education Department,
Secretariat, Fort. St. George,
Chennai – 600 009.
2. The Commissioner,
Directorate of School Education,
DPI Campus, College Road,
Chennai – 600 006.
3. The Chief Educational Officer,
Collectorate Office,
Tiruppur District,
Tiruppur.



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4. The Chief Educational Officer,
Trichy District,
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Trichy Educational District,
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P.D. AUDIKESAVALU, J.

skr

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