



W.P.No.25936 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.25936 of 2023

S.Arasu

... Petitioner

Vs.

1.The Secretary to Government,
School Education Department,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600 009.

2.The Director of Elementary Education,
DPI Compound,
College Road,
Chennai – 600 006.

3.The Accountant General,
(Accounts & Entitlement)
Tamil Nadu Office,
361, Anna Salai,
Chennai – 600 018.

4.The Director of Pension,
259, Anna Salai Block 3, II Floor,
D.M.S.Compound,
Teynampet,
Chennai – 600 006.

... Respondents



W.P.No.25936 of 2023

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents herein to consider the petitioner's representation, dated 12.07.2023, and grant petitioner pension in accordance with G.O.Ms.No.391, dated 07.04.1989, and under Tamil Nadu Government Liberalised Pension Rule.

For Petitioner : Mr.A.S.Aswin Prasanna

For Respondents : Mr.E.Vedabagath Singh
Special Government Pleader

ORDER

This writ petition has been filed to direct the respondents herein to consider the petitioner's representation, dated 12.07.2023, and grant pension to the petitioner in accordance with G.O.Ms.No.391, Education Department, dated 07.04.1989, and under Tamil Nadu Government Liberalised Pension Rule.

2.It is the case of the petitioner that he joined the respondent Department as Secondary Grade Teacher on 10.04.1986. Thereafter, the petitioner decided to participate in public elections and therefore, requested the Department to relieve him from services vide his application dated 16.04.2001 and subsequently, the petitioner was relieved from



W.P.No.25936 of 2023

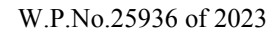
service. It is the contention of the petitioner that, as per G.O.Ms.No.391, Education Department, dated 07.04.1989, a person who resigns from service after 11 years should be granted pension under the Tamil Nadu Government Liberalised Pension Rule. In this regard, the petitioner has also given a representation to the respondents, dated 12.07.2023. Since the same has not been considered, the present writ petition has been filed.

3.Heard the learned counsel for the petitioner and Mr.E.Vedabagath Singh, learned Special Government Pleader, who takes notice for the respondents.

4.Considering the limited nature of the relief sought for in this writ petition, there shall be a direction to the respondents to consider the representation of the petitioner, dated 12.07.2023, and pass appropriate orders, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

05.09.2023



Speaking order / Nonspeaking order

4.The Director of Pension,
259, Anna Salai Block 3, II Floor,
D.M.S.Compound,
Teynampet,
Chennai – 600 006.



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W.P.No.25936 of 2023

N. SATHISH KUMAR, J.
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W.P.No.25936 of 2023

05.09.2023