



WEB COPY



W.P.No.26811 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.26811 of 2023

Miss.S.Francis Mary

... Petitioner

Vs.

1.The Government of Tamilnadu,
By its Secretary to Government,
School Education Department,
Secretariat, Chennai-600 009.

2.The Director of School Education,
O/o. The School Education Directorate,
DPI Campus. 6, College Rd, Subba Road Avenue,
Nungambakkam, Chennai, Tamil Nadu 600006.

3.Director of Pension,
Perasiriyar K.Anbzhagan Maaligai,
3rd Floor, 571 Anna Salai,
Nandanam, Chennai – 35.

4.The Chief Educational Officer,
GHSS Manjakupam Campus,
Pennaiyar Road, South Arcot,
Cuddalore-607 001.

5.The Principal,
Government Higher Secondary School,
Virudhachalam Road, Ulundurpet,
Kallakurichi District- 606 107.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other appropriate Writ, order or direction, directing the 1st to 5th Respondent to consider the claim for grant of pension by counting the 16 years 1 month and 10 days service rendered as Part Time Sewing Instructor, in accordance with the eligible Rules and on merits, and in conformity with G.O.Ms.No.127. School Education Department, (SE 7(1)), dated 12.07.2023, within a specified period.

For Petitioner : Mr.B.Divakaran

For Respondents : Mr.E.Veda Bagath Singh,
Special Government Pleader

ORDER

This Writ Petition has been filed to direct respondents to consider the claim for grant of pension by counting the 16 years 1 month and 10 days service rendered as Part Time Sewing Instructor, in accordance with the eligible Rules and on merits, and in conformity with G.O.Ms.No.127, School Education Department (SE 7(1)), dated 12.07.2023, within a specified period.

2.The contention of the petitioner is that she was rendered 16 years of service as Part Time Teacher as Sewing Master and after more than 16 years of service, she was brought under regular time scale of pay and posted as Tailoring Teacher at Government Higher Secondary School,



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Thirukovilur, Kallakurichi District and thereafter, the petitioner retired from service on 30.04.2007 on attaining the age of superannuation. The grievance of the Writ Petitioner is that though she was retired from service, no pension is paid to him since her regularized service is only counted as nine years. In this regard, she has given representation, dated 18.08.2023 to the respondents, however the same has not been considered. Hence, seeks direction of this Court.

3.The learned Special Government Pleader accepts notice on behalf of the respondents and submits that appropriate orders will be passed on merits on the representation made by the petitioner, within a short period.

4.Considering the limited prayer sought for in this Writ Petition, there shall be a direction to the respondents to consider the representation of the petitioner, dated 18.08.2023 on merits and in accordance with law, in the light of the G.O.Ms.No.127, School Education Department (SE 7(1)), dated 12.07.2023, within a period of three months, from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition stands disposed of.

No costs.

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Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

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To

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Government of Tamilnadu,
School Education Department,
Secretariat, Chennai-600 009.
2. The Director of School Education,
O/o. The School Education Directorate,
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