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W.P.No.102 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2023

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.102 of 2023

A.Moses Mohanraj

... Petitioner

Vs.

1.The Director of Elementary School Education,
DPI Campus,
Government of Tamil Nadu,
Chennai - 600 006.

2.The District Elementary Educational Officer,
(Primary School Section),
Kancheepuram,
Kancheepuram District.

3.The Assistant Block Elementary Educational Officer,
Sriperumbudur (PO),
Sriperumbudur Town,
Kancheepuram District - 602 105.

4.The Chairman,
Tamil Evangelical Luthern Education Board,
"Tranquebar House",
Trichy - 620 001.

5.The Management,
T.E.L.C. Primary School,
Valarpuram,
Sriperumbudur Taluk,
Kancheepuram District - 602 105.

... Respondents



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PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st to 3rd respondents to allow the petitioner to go under Voluntary Retirement from service and consequently direct the respondents to disburse all the service cum retirement benefits, arrears of salaries, provident funds, gratuity amounts, leave salaries, pension and all other attendant benefits, etc., to the petitioner payable by the 1st to 3rd respondents within a time frame to be fixed by this Court.

For Petitioner : Mr.P.Ramaiah

For Respondents : Mr.Stalin Abimanyu
Additional Government Pleader
for R1 to R3

R4 and R5 - Dispensed with

ORDER

The grievance of the petitioner in this Writ Petition is that despite having made a request for voluntary retirement, the respondents have not accepted the same.

2. According to the petitioner, he is eligible for voluntary retirement. The petitioner has given representations to the respondents to accept his voluntary retirement. The last such representation was made on 29.07.2022.



Since, the representations have not been considered till date, he has filed this Writ Petition.

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3. Heard Mr.P.Ramaiah, learned counsel for the petitioner and Mr.Stalin Abimanyu, learned Additional Government Pleader who accepts notice on behalf of R1 to R3. Since no adverse orders are passed against the fourth and fifth respondents, notice to the fourth and fifth respondents are dispensed with.

4. No prejudice would be caused to the respondents if the petitioner's representation as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5. This Court is not expressing any opinion on the merits of the petitioner's representation. It is for the respondents to consider the same on merits.



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6. For the foregoing reasons, this Court directs the respondent Nos.1 to 3 to pass final orders, on merits and in accordance with law, on the petitioner's last representation dated 29.07.2022, seeking for voluntary retirement, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforementioned directions, this Writ Petition is disposed of. No Costs.

05.01.2023

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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To

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ABDUL QUDDHOSE. J.,

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