



W.P(MD)No.8023 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8023 of 2023

A.Susila

... Petitioner

Vs.

- 1.The Secretary to the Government,
School Education Department,
St.George Fort, Chennai.
- 2.The Principal Accountant General,
361, Anna Salai, Rostrevor Garden,
Teynampet, Chennai – 600 018.
- 3.The Directorate of School Education,
17, College Road, Subba Road Avenue,
Nungambakkam, Chennai – 600 008.
- 4.The Chief Educational Officer,
Dindigul District.
- 5.The District Educational Officer,
Palani, Dindigul District.
- 6.The Head Master,
Government Hr. Sec. School,
Ayyalur, Vada Madurai Taluk,
Dindigul District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to regularize period of absent since 29.06.1994 to 04.08.2002 and from 06.08.2022 to 22.09.2005 of petitioner's husband Late. Palani Nathan based on the proposal of the respondents 2 and 3 and consequentially to direct the respondents to disburse the monetary benefits and the pension based on the representation dated 18.05.2022 and 25.08.2022 within the period that may be stipulated by this Court.

For Petitioner : Mr.V.P.Rajan

For Respondents : Mr.N.Satheesh Kumar,
Addl. Govt. Pleader for R1 & R3 to R6.
Mr.P.Gunasekaran,
Standing Counsel for R2.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner's husband / Palaninathan was appointed as Junior Assistant through TNPSC on 04.10.1973. On account of renal issues, he was unauthorizedly absent from duty from 29.06.1994. He eventually passed away on 23.09.2005. Since the period of absence was



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not regularized, his terminal benefits have not been sanctioned. It appears that disciplinary action was also initiated. It got abated on account of the demise of the employee.

3.However, the issue cannot be indefinitely kept pending. The concerned authorities are directed to prepare the pension proposals. If any ratification order has to be passed, the authority competent to ratify the same shall also pass ratification and regularization orders. It shall be ensured that the benefits payable to the petitioner and other legal heirs are disbursed within a period of five months from the date of receipt of a copy of this order. A common direction is issued to all the respondents herein. The learned Additional Government Pleader is called upon to intimate the respective respondents about the passing of this order. The petitioner is a senior citizen aged about 68 years. When her husband was alive, she was battling with his illness. Her husband passed away in the year 2005. For 18 years, she did not get what is due to her. I hope that the respondents will take note of the situations and comply with the order now passed and not apply for extension of time.



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4.This writ petition is allowed on these terms. No costs.

27.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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