



W.P(MD)No.9545 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9545 of 2023

N.Manoharan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Department of School Education,
Fort St.George, Secretariat,
Chennai – 600 009.

2.The Commissioner School Education,
D.P.I.Campus, College Road,
Nungambakkam,
Chennai – 600 006.

3.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.

4.The District Educational Officer,
Marthandam,
Kanyakumari District.

5.Aided Higher Secondary School,
Rep. by its Correspondent,
Arumanai, Kanyakumari 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 respondents 1 to 4 to disburse the petitioner's terminal benefits based on his representation dated 17.03.2023 within a time frame fixed by this Court.

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.N.Satheesh Kumar,
Addl. Government Pleader for R1 to R4.

ORDER

Heard the learned counsel on either side.

2.The petitioner was appointed as Physical Education Teacher in the fifth respondent school on 06.06.1994. His appointment was approved with effect from 01.06.1995. He retired on 30.04.2023. However, his pensionary and retirement benefits have not been disbursed. The reason appears to be that the fifth respondent school has come under direct management of the department. The third respondent has taken a stand in the counter affidavit that necessary permission has to



W.P(MD)No.9545 of 2023

come from the Joint Director, School Education Higher Secondary,
Chennai.

3.I direct the Joint Director, School Education Higher Secondary, Chennai to grant the permission as sought for. This shall be done within a period of four weeks from the date of receipt of a copy of this order. Even though the Joint Director, School Education Higher Secondary, Chennai is not a party to this writ petition, the third respondent is directed to intimate the said authority about the passing of this order. On receipt of the permission, the papers shall be prepared and processed. The retirement benefits payable to the petitioner shall be disbursed within a period of sixteen weeks from the date of receipt of a copy of this order.

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

30.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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3/6



W.P(MD)No.9545 of 2023

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To:-

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Department of School Education,
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G.R.SWAMINATHAN, J.

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