



W.P.(MD)No.11612 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11612 of 2023

R.Savithiri

... Petitioner

Vs.

- 1.The Director of Elementary Education,
O/o. the Director of Elementary Education,
DPI Campus, Chennai-6.
- 2.The Joint Director of Elementary Education,
O/o. the Joint Director of Elementary Education,
DPI Campus, Chennai-6.
- 3.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Pudukkottai District.
- 4.The District Educational Officer (Elementary),
O/o. the District Educational Officer,
Aranthangi, Pudukkottai District.
- 5.The Block Educational Officer,
O/o. the Block Educational Officer,
Thiruvarangulam Union,
Pudukkottai District.
- 6.Treasury Officer,
District Treasury,
Pudukkottai-622001.

... Respondents



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Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondent Nos.4 and 5 to issue the no due certificates and other certificates mentioned in the proceedings of the Respondent No.6 in L.Dis.No.2541/2023/E2 dated 21.03.2023 to the petitioner enabling the petitioner to get the retirement benefits such as Death cum Retirement Gratuity, Provident Fund, Special Provident Fund, Leave Salary, Monthly Pension and other consequential benefits within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman,
For M/s.Lajapathi Roy and Associates.

For Respondents : Mr.N.Satheesh Kumar,
Addl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner jointed the Education Department as Secondary Grade Teacher. She later became as B.T. Assistant. The petitioner was posted as Middle School Headmistress on 12.05.2018 and then she faced reversion. Challenging the same, the petitioner filed W.P. (MD)No.1829 of 2020. The reversion order was stayed and later it was also set aside on 27.02.2023. The petitioner reached the age of



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superannuation on 28.02.2023. The grievance of the petitioner is that her retirement benefits have not been sanctioned. She is also not getting any pension.

3.The stand of the respondents is that since this Court had directed the department to re-draw the panel and also fix the petitioner's seniority correctly, the process may take some more time and that it is possible to fix the pension and also determine the other benefits only thereafter. I can appreciate the stand of the respondents. But then, the process cannot be deferred or kept pending indefinitely. The respondents are directed to conclude the process of determining the petitioner's seniority and also her entitlement and the consequential benefits including retirement benefits within a period of twelve weeks from the date of receipt of a copy of this order. The monetary benefits payable to the petitioner shall be disbursed within a period of eight weeks thereafter.

4.This writ petition is disposed of accordingly. No costs.

13.06.2023

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

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