



W.P(MD)No.22071 of 2

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.22071 of 2023

and

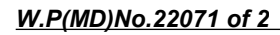
W.M.P(MD)Nos.24969 of 2023

Thommai Antony

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
School Education Department,
Secretariat,
St. George Fort,
Chennai-600 009.
- 2.The District Elementary Educational Officer,
Thoothukudi District,
Thoothukudi.
- 3.The Block Educational Officer,
Alwarthirunagari,
Srivaiguntam Taluk,
Thoothukudi District.
- 4.The Principal Accountant General (A&E),
No.361, Annasalai,
Chennai-600 018.



... Respondents



the pension proposal papers of the writ petitioner have been returned seeking necessary Government orders for implementation of the Court order.

2. The petitioner had approached this Court by filing W.P.No.1057 of 2005 seeking a Mandamus to permit him to undergo one month Child Psychology Course and consequently to direct the District Elementary Educational Officer to approve the appointment of the writ petitioner from the date of appointment and confer all consequential benefits. This writ petition was allowed as prayed for by this Court on 24.01.2008. In compliance with the order of this Court, the District Elementary Educational Officer has passed an order on 09.04.2008 approving the appointment of the writ petitioner with effect from 29.04.2005. However, when the petitioner attained superannuation, the fifth respondent herein had returned the pension papers on the ground that in order to implement the Court order, further orders from the Government are required. Once, this Court has passed an order on 24.01.2008, no further orders are required to be passed by the Government.

3. In view of the above said facts, this Court is inclined to pass the following order:



"(i) The order impugned in the writ petition, dated 11.07.2023 is hereby set aside. The matter is remitted back to the file of the fifth respondent.

(ii) The second respondent is directed to resubmit the papers to the fifth respondent within a period of four (4) weeks from the date of receipt of a copy of this order.

(iii) On receipt of the file, the fifth respondent is directed to process the pension papers without insisting upon any Government order and pass orders within a period of four (4) weeks thereafter."

4. This writ petition stands allowed to the extent as stated above. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

14.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



W.P(MD)No.22071 of 2

To
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1. The Secretary,
The State of Tamil Nadu,
School Education Department,
Secretariat,
St. George Fort,
Chennai-600 009.
2. The District Elementary Educational Officer,
Thoothukudi District,
Thoothukudi.
3. The Block Educational Officer,
Alwarthirunagari,
Srivaiguntam Taluk,
Thoothukudi District.
4. The Principal Accountant General (A&E),
No.361, Annasalai,
Chennai-600 018.
5. The Senior Accounts Officer / Pen.23,
The Principal Accountant General (A&E),
No.361, Annasalai,
Chennai-600 018.
6. The Correspondent,
R.C. Primary School,
Koluvaiallur,
Thoothukudi District.



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R.VIJAYAKUMAR, J.

BTR

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