



W.P.(MD).No.25672 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.25672 of 2023

R.Narayanan

... Petitioner

Vs.

1. The Director of School Education (Vocational),
Directorate of School Education,
Kamarajar Salai,
Chennai.
2. The Chief Educational Officer,
Virudhunagar Chief Education Office,
Collectorate, Virudhunagar.
3. The District Educational Officer,
Sivakasi District Education Office,
Sivakasi, Virudhunagar District.
4. The Accountant General (A&E),
Office of the Accountant General,
No.361, Anna Salai,
Teynampet, Chennai – 600 018.
5. The Secretary,
K.N.H.U.Perunthalaivar,
Kamarajar Higher Secondary School,
Krishnapuram – 626 143,
Rajapalayam (Via)
Dindigul District.

... Respondents



W.P.(MD).No.25672 of 2023

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to re-fix the petitioner's pension and other retirement benefits by including 50% of past service rendered by the petitioner as Double Part Time Vocational Instructor from 21.07.1986 to 15.10.1992 along with his regular service in the light of the judgment of this Court made in a Batch of Writ Appeals in W.A.Nos. 2133-2142 of 2019, dated 03.03.2023 and disburse the same within the time frame as stipulated by this Court.

For Petitioner	: Mr.S.I.Muthiah
For Respondents	: Mr.N.GA.Natraj Government Advocate for R1 to R3 : Mrs.Mahalakshmi – for R4

ORDER

The present writ petition has been filed by a retired Vocational Instructor seeking a mandamus to re-fix his pension and other retirement benefits by reckoning 50% of his past services rendered as a Double Part Time Vocational Instructor.



W.P.(MD).No.25672 of 2023

WEB COPY

2. According to the writ petitioner, he was originally appointed as a Double Part Time Vocational Instructor on temporary basis on 21.07.1986. His services were regularized on 16.10.1992 and he was brought under the time scale of pay. The petitioner had attained superannuation on 01.04.2020. The petitioner relies upon the Division Bench judgment of our High Court in W.A.Nos.2133 to 2142 of 2019, dated 03.03.2023 to contend that his 50% of the past services as Double Part Time Vocational Instructor during the period between 21.07.1986 to 16.10.1992 has to be taken into consideration for the purpose of computing pension and other terminal benefits. The petitioner has sent a representation to the respondents 1 to 3 herein on 06.07.2023. The third respondent herein by his communication dated 12.07.2023 has addressed a letter to the second respondent herein requesting him to initiate speedy action.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent.



W.P.(MD).No.25672 of 2023

WEB COPY

4. On instructions, the learned Government Advocate appearing for the respondents 1 to 3 pointed out that the third respondent herein has already forwarded the proposal to the second respondent herein on 04.09.2023 and the files are pending before the second respondent herein.

5. In view of the above said facts, the second respondent is directed to consider the proposal forwarded by the third respondent, dated 04.09.2023 and pass orders as expeditiously as possible, on merits, preferably within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above said observations, this Writ Petition is disposed of.
There shall be no order as to costs.

07.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi



W.P.(MD).No.25672 of 2023

WEB COPY

To

1. The Director of School Education (Vocational),
Directorate of School Education,
Kamarajar Salai,
Chennai.
2. The Chief Educational Officer,
Virudhunagar Chief Education Office,
Collectorate, Virudhunagar.
3. The District Educational Officer,
Sivakasi District Education Office,
Sivakasi, Virudhunagar District.
4. The Accountant General (A&E),
Office of the Accountant General,
No.361, Anna Salai,
Teynampet, Chennai – 600 018.



WEB COPY



W.P.(MD).No.25672 of 2023

R.VIJAYAKUMAR,J.

ebsi

W.P(MD)No.25672 of 2023

07.11.2023