



W.P.(MD).No.30220 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30220 of 2023

G.Kumar

... Petitioner

Vs.

1. The Principal Accountant General (A & E)

Tamil Nadu,
361, Anna Salai, Teynampet,
Chennai – 600 018.

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

3. The Headmaster,
Government Tribal Residential Higher Secondary School,
Pechipparai – 629 161,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to sanction and disburse revised pension along with arrears of pension from 01.10.2016 onwards as per the second respondent herein issued proceedings in Na.Ka.No.1040/A4/2020, dated 14.08.2023.



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For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.P.Gunasekaran
Standing Counsel – for R1
: Mr.V.Om Prakash
Government Advocate – for R2 and 3

ORDER

The present writ petition has been filed by a Vocational Instructor, who attained superannuation on 30.09.2016. The petitioner's services between 01.04.1990 to 30.09.2016 alone was taken into consideration for pension. The grievance of the writ petitioner is that 50% of the services between 01.08.1984 to 31.03.1990 was not considered as a qualifying services for sanction of pension.

2. The second respondent, by his proceedings dated 14.08.2023 has passed orders in favour of the writ petitioner. Therefore, the petitioner has submitted a proposal to the third respondent on 26.09.2023. The third respondent has not yet forwarded the same to the concerned authorities. Hence, the petitioner has sent a reminder to the third respondent on 04.12.2023. Since, there is no response, the present writ petition has been filed.



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3. Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the first respondent and the learned Government Advocate appearing for the respondents 2 and 3.

4. Considering the above said facts, the third respondent herein is directed to forward the papers to the second respondent within a period of three weeks from the date of receipt of a copy of this order. On such receipt, the second respondent is directed to forward the same to the first respondent within a period of four weeks thereafter.

5. It is pertinent pointed out that the name of the petitioner is found in serial No.135 in G.O.(Ms) No.127, School Education Department, dated 12.07.2023.

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

19.12.2023

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