



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.16587 of 2024

and

W.M.P(MD)Nos.14351, 14352, 15319, 15320 & 15322 of 2024

C.Lekshmanaswamy

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Chennai – 9.

2.The Director of School Education,
O/o.the Director of School Education,
Nungambakkam, Chennai.

3.The Joint Director of School Education(Personnel),
O/o.Joint Director of School Education,
Chennai – 600 006.

4.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in his proceedings G.O.(1D).No.



282, School Education (SE1(2)) Department, dated 28.11.2022 and consequential impugned order passed by the 1st respondent in his proceedings G.O.(1D).No.284, School Education (SE1(2)) Department, dated 30.11.2022 and consequential impugned order passed by the 2nd respondent in Na.Ka.No. 45422/A1/E2/2022-3 dated 12.01.2023 and quash the same as illegal and consequently direct the respondent to allow the petitioner to retire from service on 30.11.2022 and disbursement all the retirement benefits pursuant to the retirement and quash the same.

For Petitioner : Mr.Ajmal Khan
Senior Counsel

For Respondents : Mr.J.Ashok
Additional Government Pleader

* * * * *

ORDER

The instant writ petition has been filed by a District Educational Officer challenging the order of suspension, charge memo and order of retention in service.

2.Pending writ petition, the Secretary to Government has passed an order wherein the order of suspension has been revoked and the petitioner has been permitted to retire w.e.f.30.11.2022 with a rider that the disciplinary proceedings will be continued under Rule (9) of the Tamil Nadu Pension Rules



of 1978. As a consequent to the said Government order, the Secretary to Government has issued a notice to the writ petitioner on 26.09.2024, intending to impose a cut in pension at the rate of Rs.3,000/- per month for a period of three years. The petitioner has no grievance over the said proposed punishment and he is ready to accept any punishment imposed as per the notice dated 26.09.2024.

3.In view of the fact that the petitioner has already been permitted to retire and the petitioner has accepted the punishment of cut in pension of Rs.3,000/- per month for a period of three years, the respondents authorities are directed to release the terminal benefits within a period of twelve weeks from the date of receipt of a copy of this order.

4.With the above said observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

23.10.2024

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



WEB COPY

To

1.The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai – 9.

2.The Director of School Education,
O/o.the Director of School Education,
Nungambakkam, Chennai.

3.The Joint Director of School Education(Personnel),
O/o.Joint Director of School Education,
Chennai – 600 006.

4.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.



WEB COPY



R.VIJAYAKUMAR, J.

RJR

W.P.(MD)No.16587 of 2024

23.10.2024