



W.P.(MD)No.17517 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.17517 of 2024

V.Mayil

... Petitioner

vs.

- 1.The Secretary to Government,
Finance (Pay Cell) Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 3.The Director of School Education,
DPI Compound, College Road,
Chennai - 600 006.
- 4.The Joint Director (Vocational)
Directorate of School Education,
DPI Compound, College Road,
Chennai - 600 006.
- 5.The Principal Accountant General A & E,
State of Tamil Nadu,
No.361, Anna Salai,
Chennai - 600 018.



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6.The District Educational Officer (Elementary)
Collectorate, Tirunelveli.

7.The Block Educational Officer,
Pappakudi,
Tirunelveli - 627 811.

8.The Secretary,
Sri Gajendra Varadar Middle School,
Athalanallur,
Tirunelveli - 627 426.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus direct the 7th Respondent to send proposal for computing the 50 percentage service rendered by the Petitioner as Part Time Vocational Instructor drawing consolidated pay for calculating the qualifying service for pension and quantum of pension under Rule 43(2) of the Tamil Nadu Pension Rules to the 2nd Respondent to enable the 1st Respondent to sanction the pension to the Petitioner based on the said proposal from the date of retirement of the Petitioner to enable the 5th Respondent to disburse the pension to the Petitioner and the arrears of salary legally due and payable to the Petitioner within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Loganathan

For Respondents : Mr.J.Ashok
Additional Government Pleader
for R1, R2 and R4



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Mr.T.Amjadkhan
Government Advocate
for R3, R6 and R7

Mr.S.Mahalakshmi
Standing Counsel for R5

ORDER

The petitioner herein, who is a retired Vocational Instructor, had given a representation dated 25.03.2024 to the respondents 1, 3, 6 to 8 seeking to calculate his pension as per Tamil Nadu Pension Rules, 1978 by considering 50% of his service as part time Vocational Instructor and to grant all other monetary benefits. The petitioner's grievance is that though the third respondent has forwarded the representation to the sixth respondent, till date no fruitful orders were passed in his representation.

2. Since the third respondent has forwarded the representation of the petitioner to the sixth respondent who is the appropriate authority to pass orders, I feel it is appropriate to direct the sixth respondent to pass orders in the petitioner's representation within a time frame.



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3. In view of the above observations, the writ petition is **disposed of** and the sixth respondent is directed to consider the representation of the petitioner dated 25.03.2024 in the light of the judicial pronouncements already given in this regard and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs.

30.07.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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R.N.MANJULA, J.

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