



WP(MD) No.18045 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.18045 of 2023

and

W.M.P.(MD).Nos.15059, 15060 and 25242 of 2023

S.Jeyapandi

... Petitioner

Vs.

1.The Accountant General (A & E),
O/o. the Accountant General (A and E),
Anna Salai,
Chennai-600 018.

2.The Director of School Education,
O/o.The Director of School Education,
DPI Complex, College Road,
Chennai.

3.The District Educational Officer (Secondary),
O/o. the District Educational Office,
Virudhunagar District.

4.The Correspondent,
S.B.K. Higher Secondary School,
Aruppukottai,
Virudhunagar District.

....Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent vide his proceedings in No. AG(A & E)/PEN P22/12225623/2/R2225623 dated 09.01.2023 and the consequential impugned order passed by the 1st respondent vide his proceedings in No. P22/2/12226446/ADK dated 28.06.2023 and quash the same as illegal and consequently to direct the 1st respondent to disburse the pensionary benefits to the petitioner within the period that may be stipulated by this Court.

For Petitioner	: Mr.H.Mohammed Imran, for M/s.Ajmal Associates
For R-1	: Ms.S.Mahalakshmi, Standing Counsel
For R-2 & R-3	: Mr.M.Siddharthan, Additional Government Pleader

ORDER

Heard Mr.H.Mohamed Imran, learned counsel for the petitioner, Ms.S.Mahalakshmi, learned Standing Counsel appearing for the first respondent and Mr.M.Siddharthan, learned Additional Government Pleader appearing for respondent Nos.2 and 3.



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2. The petitioner, who retired from service on 30.11.2022, has filed this Writ Petition, challenging the impugned order of the first respondent vide his proceedings in No. AG(A & E)/PEN P22/12225623/2/R2225623, dated 09.01.2023 and the consequential impugned order of the first respondent vide his proceedings in No. P22/2/12226446/ADK dated 28.06.2023 and consequently to direct the first respondent to disburse the pensionary benefits to the petitioner within the period that may be stipulated by this Court.

3. So far as the impugned order dated 09.01.2023 passed by the first respondent is concerned, it is stated that the petitioner is entitled to Grade Pay for a sum of Rs.2,800/-. However, he was given with the Grade Pay of Rs.4,200/-. The pension papers have been returned to the fourth respondent stating the disentitlement of the petitioner to the higher Grade Pay i.e., Rs.4,200/-.

4. It is for the third respondent to comply with the return made to clarify whether the Grade Pay allowed to the petitioner during the relevant point of time is correct or not. Only in view of the above



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‘return endorsement’, the pensionary papers of the petitioner is still pending. Since no order has been passed so far consequent to the returned reasons subscribed by the first respondent, the third respondent should take a call and deal with the ‘return endorsement’ appropriately.

5. Considering the facts and circumstances, this Writ Petition is **disposed of** with a direction to the third respondent to answer the ‘return endorsement’ of the first respondent by clarifying the eligibility of the petitioner and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. If an order is to be passed affecting the interest of the petitioner, the same shall not be done, without putting the petitioner on notice. No costs. Consequently, the connected miscellaneous petitions are closed.

02.07.2024

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



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To

- 1.The Director of School Education,
O/o.The Director of School Education,
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Chennai.
- 2.The District Educational Officer (Secondary),
O/o. the District Educational Office,
Virudhunagar District.



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R.N.MANJULA, J.

TSG

Order made in
W.P.(MD)No.18045 of 2023

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