



W.P.(MD).No.21242 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21242 of 2022

Amalorpavam. A

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by Principal Secretary to Government,
School Education Department,
Secretariat, Chennai – 600 009.
2. The Director of School Education,
College Road,
Chennai.
3. The Chief Educational Officer,
Nagercoil, Kanyakumari District.
4. The District Educational Officer,
Kulithurai,
Kanyakumari District.
5. The Correspondent,
St.Francis Xavier High School Alanchi,
Kanyakumari District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in Letter No.3080/Pa.Ka.6(2) 2021-3, dated 23.07.2021 and quash the same and thereby direct the first respondent to consider the revised pension for the petitioner and thereby grant all pension benefits from the date of eligibility.

For Petitioner : Mr.G.Cenil

For R1 to R4 : Mr.N.Satheesh Kumar
Additional Government Pleader

For R5 : No appearance

ORDER

The instant writ petition has been filed by a retired Craft Instructor (Sewing Teacher), challenging the order passed by the first respondent herein rejecting the request of the writ petitioner seeking benefits under G.O.(Ms) No.216, Finance (PC) Department, dated 22.03.1993.

2. The petitioner was working as a Craft Instructor, had attained superannuation on 31.05.2015 and thereafter, she has addressed a representation to the Department on 01.06.2018 seeking benefits of G.O.(Ms)



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No.216, Finance (PC) Department, dated 22.03.1993 for revision of pension.

Since the said request has not been considered, this petitioner along with others have filed W.P(MD) No.11046 of 2019. The said writ petition was disposed of by this Court, on 30.04.2019, with a direction to the respondent authorities to dispose of the representation, in the light of the Full Bench Judgment of this Court reported in ***2017 (1) CWC 561 Full Bench (Government of Tamil Nadu, Represented by its Principal Secretary, School Education Department, Secretariat, Chennai. Vs. G.Eswaran and others).***

3. In compliance of the order of this Court, the first respondent herein has passed the impugned order on 23.07.2021, rejecting the request of the writ petitioner relying upon the judgment of the Full Bench of this Court.

4. A perusal of the judgment of the Full Bench of this Court reveals that no request for conferment of benefits under G.O.(Ms) No.216, Finance (PC) Department, dated 22.03.1993, shall be entertained by the Court after 09.12.2006. In the present case, the representation has been sent in June 2018 and the writ petition has been filed in April 2019. Therefore, it is clear that the first respondent has rightly rejected the request of the writ petitioner,



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based upon the judgment of the Full Bench of this Court and there are no merits in this writ petition.

5. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

23.08.2024

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

To

1. The Principal Secretary,
School Education Department,
Secretariat, Chennai – 600 009.
2. The Director of School Education,
College Road,
Chennai.
3. The Chief Educational Officer,
Nagercoil, Kanyakumari District.
4. The District Educational Officer,
Kulithurai,
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R.VIJAYAKUMAR,J.

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