



W.P.(MD).No.21256 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21256 of 2024

K.Saroja,
Retired Vocational Instructor Teacher,
Thiru R.Ponnusamy Naidu
Memorial Hindu Middle School,
2/88, East Street,
Kakkivadanpatti Post,
Sivakasi Taluk,
Virudhunagar District.

... Petitioner

Vs.

1. The Principal Secretary to Government,
School Education Department,
Fort St.George,
Chennai – 600 009.
2. The Director of School Education,
College Road,
Chennai – 600 008.
3. The Chief Educational Officer,
Virudhunagar District,
Virudhunagar.
4. The District Elementary Educational Officer,
Sivakasi Educational District,
Virudhunagar.



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5. The Block Educational Officer.

Vembakottai Block,
Vembakottai and Taluk,
Virudhunagar District.

6. The Headmaster,

Thiru. R.Ponnusamy Naidu Memorial Hindu Middle School,
Kakkivadanpatti Post,
Sivakasi Taluk,
Virudhunagar District – 626 124.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the fifth respondent in his proceedings in Oo.Mu.No.571/A2/2024, dated 26.07.2024 and quash the same and consequently direct the respondents to revise the pension of the petitioner by counting half of the services rendered by the petitioner from 08.06.1976 to 10.09.1995 as Part Time Vocational Instructor Teacher along with her regular service from 11.09.1995 to 30.04.2013 as qualifying service for the calculation of pension as per the order of the Full Bench of this Court passed in W.A.No.158 of 2016 & Batch cases with all consequential service and monetary benefits.

For Petitioner : Mr.N.K.Ponraj

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader



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ORDER

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The instant Writ Petition has been filed by a Full Time Vocational Instructor, challenging the order passed by the fifth respondent herein, wherein the request to revise the pension of the petitioner by counting half of the services has been rejected.

2. A perusal of the impugned order reveals that the petitioner has to get the proposal either from the School Secretary or from the Headmaster of the concerned school and in such an event, the proposal can be considered by the authorities.

3. According to the learned counsel appearing for the petitioner, the School is under direct payment and therefore, the Secretary of the School is not in a position to send the proposal.

4. This Court is of the considered opinion that even as per the impugned order, if the proposal is forwarded by the School Headmaster, the authorities have expressed their willingness to consider the same.



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5. In such circumstances, this writ petition stands disposed of with liberty to the petitioner to approach the sixth respondent in the writ petition for forwarding the proposal to the concerned authorities. There shall be no order as to costs.

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

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R.VIJAYAKUMAR,J.

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