



W.P.(MD)No.15302 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.15302 of 2016

N.Saravanan

... Petitioner

(Sole petitioner is substituted vide Court order dated 08.09.2023 in WMP(MD)No.17980 of 2023.)

/Vs./

- 1.The Director of School Education,
School Education Department,
College Road, Chennai 600 006.
- 2.The Principal Accountant General,
(Accounts and Entitlements),
State of Tamilnadu,
No.361, Anna Salai,
Chennai 600 018.
- 3.The Chief Education Officer,
Madurai, Madurai District.
- 4.The Headmaster,
Government Boys Higher Secondary School,
Alanganallur,
Madurai District.

... Respondents



W.P.(MD)No.15302 of 2016

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd and 4th respondents herein to send the service register to the 2nd respondent and further direct the 2nd respondent to issue the revised pension to the petitioner as per G.O.Ms.No.216 Finance (PC) Department dated 22.03.2016 with arrears forthwith time stipulated by this Court.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.T.Amjad Khan (R1, R3 & R4)

Government Advocate

Mr.P.Gunasekaran (R2)

Standing Counsel

ORDER

This writ petition has been filed for a mandamus, seeking with a direction to the respondents 3 and 4 to send the Service Register of the petitioner's late mother to the second respondent and further direct the second respondent to issue the revised pension to the petitioner as per G.O.Ms.No.216, Finance (PC) Department, dated 22.03.1993.



W.P.(MD)No.15302 of 2016

WEB COPY

2. Earlier, the petitioner's late mother had filed a writ petition before the Principal Seat of this Court seeking for revision of her pension based on G.O.Ms.No.216, Finance (PC) Department, dated 22.03.1993. A direction was also issued by the Principal Seat of this Court on 09.04.2012 in the said writ petition to the respondents to consider re-fixing the pension of the petitioner's late mother, in the light of G.O.Ms.No.216, Finance (PC) Department, dated 22.03.1993. However, according to the petitioner, despite the said direction, till date the pension of the petitioner's late mother has not been revised. He would also submit that the Service Register of the petitioner's late mother has not been sent to the second respondent by the third and fourth respondents.

3. A counter affidavit has been filed by the official respondents before this Court. The third and fourth respondents submit that the Service Register of the petitioner's late mother has already been sent to the second respondent for the purpose of revising her pension.



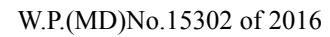
W.P.(MD)No.15302 of 2016

WEB COPY

4. However, the learned standing counsel appearing for the second respondent, on instructions, would submit that the Service Register of the petitioner's late mother is yet to be received.

5. In view of the above, this Court is of the considered view that due to the long passage of time, in the interest of justice to enable the petitioner to revise pension of his late mother expeditiously, a direction can be issued to the respondents 3 and 4 to once again send a copy of the Service Register of the petitioner's late mother to the second respondent to enable the second respondent to consider revising the pension of the petitioner's late mother, in the light of G.O.Ms.No.216, Finance (PC) Department, dated 22.03.1993, within a time frame to be fixed by this Court.

6. No prejudice will be caused, if a direction is also issued to the petitioner to cooperate with the respondents 3 and 4 for re-construction of the Service Register of the petitioner's late mother, incase the Service Register is found missing.



8. In the result, this writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
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W.P.(MD)No.15302 of 2016

ABDUL QUDDHOSE, J.

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TO:

- 1.The Director of School Education,
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College Road, Chennai 600 006.
- 2.The Chief Education Officer,
Madurai, Madurai District.
- 3.The Headmaster,
Government Boys Higher Secondary School,
Alanganallur,
Madurai District.

Order made in
W.P.(MD)No.15302 of 2016

Dated:
03.10.2024