



W.P.(MD).No.23546 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.23546 of 2024

Saradha

... Petitioner

Vs.

1. The Secretary to Government,
Department of Finance (Pay Cell)
Secretariat, Fort St.George,
Chennai.
2. The Principal Secretary to Government,
School Education Department,
Fort St.George, Chennai.
3. The Director of School Education,
(Higher Secondary)
College Road,
Chennai – 600 006.
4. The Chief Educational Officer,
Madurai District.
5. The District Educational Officer,
(Secondary),
Melur, Madurai.

... Respondents

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



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records of the fifth respondent in Oo.Mu.No.0694/A4/2024, dated 06.06.2024 and quash the same illegal and arbitrary and in consequence thereof direct the respondent to extend the benefits of G.O.(Ms) No.216, Finance (Pay Cell) Department, dated 22.03.1993 and to pay the revised pensionary benefits with arrears.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The instant Writ Petition has been filed by a retired Physical Education Teacher, challenging the order passed by the fifth respondent herein on 06.06.2024, rejecting the request of the writ petitioner for conferring benefits under G.O.(Ms) No.216, Finance (Pay Cell) Department, dated 22.03.1993.

2. It could be seen from the records that the petitioner along with others had filed W.P(MD) No.1835 of 2015 before this Court seeking a Mandamus as against the authorities to extend the benefits of G.O.(Ms) No.216, Finance (Pay Cell) Department, dated 22.03.1993. After contesting, the said writ petition was allowed by this Court, dated 25.09.2019.

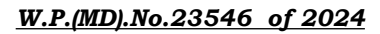


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3. This Court, in Paragraph Nos. 4 and 5 of the order in W.P(MD) No. 1835 of 2015, dated 25.09.2019 has held as follows:

“4. One of the directions of Honourable Full Bench was that the direction in the order shall be extended to the parties, who are before this Court and no further writ petition will be entertained on and from 19.12.2016. The present writ petition is filed before the order of Honourable Full Bench was pronounced and hence, the petitioners are entitled to the same benefit in terms of G.O.Ms.No.216, dated 22.03.1993 as directed by the Honourable Full Bench of this Court.

*5. Accordingly, this writ petition is allowed and the respondents are directed to extend the benefit of G.O. (Ms) No.216, Finance (PC) Department, dated 22.03.1993, in the light of orders passed by the Honourable Full Bench of this Court in the case of **Government of Tamil Nadu, represented by the Secretary, School Education Department and others vs. G.Eswaran and others**, reported in **2017 (1) CWC 561**, and to pay the revised pensionary benefits and arrears to the petitioners within a period of three months from the date of receipt of a copy of this order. No costs.”*



5. In view of the above said facts, the order impugned in the writ petition is set aside and the respondents are directed to extend the benefits of G.O.(Ms) No.216, Finance (Pay Cell) Department, dated 22.03.1993 to the petitioner and pay the revised pensionary benefits with arrears within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

17.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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