



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.2095 of 2025

K. Madhappa

.. Petitioner

Versus

1. State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department,
Fort St. George Secretariat,
Chennai – 600 009.

2. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.

3. The Chief Educational Officer,
Dharmapuri District, Dharmapuri.

4. The District Educational Officer,
Dharmapuri Education District,
Dharmapuri.

5. The Head Master,
Government High School,
Mittanoolahalli 636 704,
Dharmapuri District,



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6. The Principal Accountant General (Tamil Nadu)
O/o the Principal Accountant General,
AG's Office Complex, 361, Anna Salai,
Teynampet, Chennai 600 018.

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the retirement benefits payable to the petitioner as on the date of retirement on 31.05.2023 including granting of selection grade and special grade in the post of Junior Assistant and promotion on par with his juniors with consequential fixation of pay, along with interest for the delay in payment at the rate of 12% per annum till the date of settlement of service and retirement benefits including regular pension in consideration of representation submitted by the petitioner within a time frame fixed by this Court and pass orders.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondents 1 to 4 : Mrs.S. Mythreye Chandru,SGP
For Respondents 5 and 6 : Mrs. J. Sreevidya,
Standing counsel



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ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed for issuance of a Writ of Mandamus directing the respondents to settle the retirement benefits payable to the petitioner as on the date of retirement on 31.05.2023 including granting of selection grade and special grade in the post of Junior Assistant and promotion on par with his juniors with consequential fixation of pay, along with interest for the delay in payment at the rate of 12% per annum till the date of settlement of service and retirement benefits including regular pension in consideration of representation submitted by the petitioner within a time frame fixed by this Court and pass orders.

3. The case of the petitioner is that he is a retired employee on 31.05.2023 from the Respondent/Department. The grievance of the petitioner is that the respondent has not settled his Gratuity, Earned Leave, Commutation, UEL and only GPF and SPF were sanctioned. It is



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pertinent to note that regular pension has also not been granted. The sum and substance of the case is that there was a delay in granting regularization of service in the post of Junior Assistant and for want of declaration of probation, due to which his terminal benefits was not settled property and pension was also not granted. Hence, the petitioner has sent a representation to the respondents on 14.02.2024, 22.04.2024 and 04.10.2024. However, there was no progress in the said representation, which has given rise to this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

5. The learned Special Government Pleader appearing for the Respondents submitted that they will consider the case of the petitioner and pass orders on merits and in accordance with law.

6. Heard both sides and perused the materials available on record.



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7. Considering the facts of the case, this Court without expressing any opinion on the merits of the case directs the respondents to consider the representation of the petitioner and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above observations this writ petition stands disposed of. No order as to costs.

24.01.2025

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
smn



To
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V.BHAVANI SUBBAROYAN, J.

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