



W.P.(MD).No.12056 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.12056 of 2025

and

W.M.P.(MD)No.8882 of 2025

S.Ramalakshmi

... Petitioner

-vs-

1. The Director of Elementary Education,
Dpi Campus,
College Road,
Chennai.

2. The Joint Director of School Education,
Dpi Campus,
College Road,
Chennai.

3. The District Educational Officer (Elementary),
District Educational Office (Elementary),
Theni.

4. The Block Educational Officer,
Block Educational Office,
Myladumparai,
Theni District.

5.B.Gokilapandian

... Respondents

(R5 is impleaded vide order of this Court dated 04.07.2025 in WMP(MD)No. 12015 of 2025.)



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to disburse the retirement benefits such as pension, gratuity, computation of pension, leave salary, dearness allowances etc., and all other attendant benefits forthwith with an accrued interest thereon for the belated payment of retirement benefits at the rate of 18 percent in pursuant to the order passed by the 4th respondent vide his proceedings in Na..Ka.No.810/A1/2023 dated 31.05.2023 allowing the petitioner to retire from service and order passed by the 3rd respondent vide his proceedings in Na.Ka.No.178/A5/2023 dated 18.07.2023 within the period that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran

For Respondents : Mr.M.Siddharthan (R1 to R4)

Additional Government Pleader

Mr.P.M.Vishnuvarthanan (R5)

ORDER

This writ petition has been filed seeking a direction to the respondents to disburse the retirement benefits such as pension, gratuity, computation of pension, leave salary, dearness allowances etc., and all other attendant benefits forthwith with an accrued interest thereon for the belated payment of retirement benefits at the rate of 18 percent in pursuant to the order passed by



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the 4th respondent vide his proceedings in Na..Ka.No.810/A1/2023 dated 31.05.2023 allowing the petitioner to retire from service and order passed by the 3rd respondent vide his proceedings in Na.Ka.No.178/A5/2023 dated 18.07.2023 within the period that may be stipulated by this Court.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioner was initially appointed as BT Assistant in the Panchayat Union Middle School, Nariyoothu, Theni District and she reached the superannuation in the year 2023 and allowed to retire vide proceedings of the fourth respondent dated 31.05.2023. Although the petitioner made several requests for disbursal of the retirement benefits, no action has been taken sofar. Hence, the petitioner made a representation to the respondents dated 19.04.2025 and the said representation was not considered.

4. The learned counsel appearing for the petitioner submits that though aforesaid relief has been sought for by the petitioner, now, she confines the prayer that it would suffice if the representation submitted by the petitioner dated 19.04.2025 is disposed of in accordance with law.



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5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondents 1 to 3 to consider the petitioner's representation dated 19.04.2025, on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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7. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

04.07.2025
(2/2)

NCC : Yes/No
Index : Yes / No
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TO:-

1. The Director of Elementary Education,
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Chennai.
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.12056 of 2025
(2/2)

Dated:
04.07.2025