



W.A(MD) No.21 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 22.08.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD) No.21 of 2020

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... Appellant / Writ Petitioner

Vs.

- 1.The Principal Secretary to the Government,
Department of Finance,
Fort St.George,
Chennai-600 009.
- 2.The Principal Secretary to the Government,
Department of School Education,
Fort St.George,
Chennai-600 009.
- 3.The Accountant General,
(Accounts & Entitlements),
Tamil Nadu,
Chennai-18.
- 4.The District Educational Officer (South),
O/o.District Educational Officer,
Dr.Ambedkar Government Higher Secondary School Campus,
Ground Floor, Egmore,
Behind Gandhi Irwin Bridge,
Chennai-600 008.

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5.The Correspondent,
School for the Blind,
Little Flow Convent,
Cathedral Post,
Chennai-600 006.

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed in W.P.(MD)No.5256 of 2015, dated 24.07.2019 on the file of this Court.

For Appellant : Mr.S.Rajasekar

For Respondent : Mr.C.Venkateshkumar
Special Government Pleader
for R1, R2 & R4

: Mr.P.Gunasekaran
for R3

: No appearance
for R5

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.



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2. The unsuccessful writ petitioner is the appellant before us.

The appellant was appointed as Secondary Grade Assistant on 01.07.1967 in the school for Blind, Little Flower Convent, Chennai. She resigned her job on 30.09.1978. She filed W.P.(MD)No.5256 of 2015 seeking pension. The learned Single Judge vide order 24.07.2019 dismissed writ petition not only on the ground of laches but also on merits. Aggrieved by the same, this writ appeal has been filed.

3. The appellant is presently aged about 81 years. No doubt, she had come to the Court after a lapse of 37 years. The doctrine of laches will clearly operate against her. However, taking into account the fact that appellant is presently without any means, we permit her to submit a fresh representation to the second respondent / Government. The question of claiming arrears upto today will not arise at all. The Government can very well consider granting the appellant compassionate allowance with effect from today. As and when the appellant submits any representation, the same will be disposed of by the second respondent within a period of eight weeks thereafter. We make it



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clear that the legal aspects dealt with by the learned single Judge have not been touched. The above direction is given considering the fact that the appellant is an octogenarian and is not having any means to support.

4. The Writ Appeal is disposed of . No costs.

(G.R.S., J.) (K.R.S., J.)
22.08.2025

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

- 1.The Principal Secretary to the Government,
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- 2.The Principal Secretary to the Government,
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- 3.The District Educational Officer (South),
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AND

K.RAJASEKAR, J.

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