



W.P.(MD).No.28928 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.28928 of 2025

P.Simon Peter

...Petitioner

Vs

1.The Government of Tamil Nadu,
Represented by its Additional Secretary,
Department of School Education,
Fort St.George, Chennai - 600 009.

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

3.The District Educational Officer (Elementary),
Office of the District Educational Officer,
Tiruchirappalli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents to act upon the representation, dated 14.07.2025, to disburse the pensionary benefits to the petitioner and pass final order in the disciplinary proceedings against the petitioner.



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For Petitioner : Mr.S.Savarimuthu
For M/s.Father Xavier Associates
For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

This writ petition has been filed for a writ of Mandamus to direct the respondents to act upon the representation, dated 14.07.2025, to disburse the pensionary benefits to the petitioner and pass final order in the disciplinary proceedings against the petitioner.

2. The petitioner, who was permitted to retire on 30.06.2025 has not been paid terminal benefits as there has been a disciplinary proceeding pending against him. It is noted that in the disciplinary proceeding, a second show cause notice was issued on 21.07.2023, for which the petitioner submitted his explanation on 29.08.2023. However, no final orders were passed by the disciplinary authority before the petitioner's date of superannuation.

3. As per Rule 9(4) of the Tamil Nadu Pension Rules, employees whose disciplinary proceedings are continued under the said Rules after



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superannuation are entitled to provisional pension as per Rule 60.

However, such provisional pension has also not been paid to the petitioner.

4. In such view of the matter, the writ petition stands disposed of with the following directions:

(i) The second respondent shall conclude the departmental proceedings within a period of two weeks from the date of receipt of a copy of this order. Failing which, the disciplinary proceedings shall be deemed to have been dropped and the petitioner shall be paid all terminal benefits within a period of four weeks thereafter.

(ii) The petitioner shall be paid provisional pension as indicated under Rule 60 of the Tamil Nadu Pension Rules from the date of his superannuation.

There shall be no order as to costs.

28.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



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To:

- 1.The Additional Secretary,
Department of School Education,
Fort St.George, Chennai - 600 009.
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Chennai - 600 006.
- 3.The District Educational Officer (Elementary),
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K.KUMARESH BABU, J.

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