



W.P.No.714 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.714 of 2026

And

W.M.P.No.881 of 2026

K.Madhappa

... Petitioner

Vs.

- 1 STATE OF TAMIL NADU
REP. 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,
MITTANOO LAHALLI – 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:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to impugned order passed by the third respondent in Mu.Mu.No.0472/A1/2024 dated 13.03.2025 and to quash the same and consequently 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 within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.J.Jayamalan
For Respondents : Ms.Mythreye Chandru for R1 to R5
Special Government Pleader
Mr.T.Ravi Kumar for R6



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ORDER

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The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records relating to order passed by the third respondent in Mu.Mu.No.0472/A1/2024 dated 13.03.2025 and to quash the same and consequently 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.

2.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Record Clerk in the Education Department on compassionate ground vide proceedings of the District Educational Officer, Dharmapuri dated 09.12.1988 and he joined the service on 12.12.1988 and vide proceedings of the District Educational Officer, Dharmapuri dated 07.10.1989, his services were regularized and probation was declared with effect from 12.12.1988. The



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petitioner was promoted to the post of Typist with effect from 29.07.1991 and consequent to the closure of Adult Education Scheme, the petitioner was reverted to the post of Record Clerk vide proceedings of the District Educational Officer, Dharmapuri dated 31.03.1993 and was thereafter promoted to the post of Junior Assistant with effect from 06.02.1995 and the petitioner retired on 31.05.2023, however, the retirement benefits were not settled and hence, the petitioner made representation to the respondents seeking retirement benefits and since there was no response, filed W.P.No.2095 of 2025 and pursuant to the order of this Court dated 24.01.2025, the impugned order was passed by the third respondent.

3.The learned Special Government Pleader appearing for the respondents 1 to 5 submitted that during the pendency of this writ petition, a portion of the retirement benefits were settled to the petitioner and a portion of the retirement benefits were not settled since the petitioner did not obtain relaxation from the Government for Bhavani Sagar Training and further submitted that if the petitioner obtain relaxation from the Government for Bhavani Sagar Training, the balance retirement benefits will be settled to the petitioner.



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4.In response, the learned counsel appearing for the petitioner submitted that the petitioner already made representation to the third respondent in this regard and the third respondent forwarded the same to the Government, however, the same was returned to the third respondent raising certain rectification. Hence, this Court may issue direction to the third respondent to re-submit the proposal for relaxation from Bhavani Sagar Training and upon order passed by the Government, the balance retirement benefits be settled to the petitioner.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.It appears that a portion of the retirement benefits were settled to the petitioner and a portion of the retirement benefits were not settled since the petitioner did not obtain relaxation from the Government for Bhavani Sagar Training. Though the petitioner has already made representation to the third respondent in this regard and the third respondent forwarded the same to the Government, the same was returned to the third respondent for rectification of certain errors.



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7.The respondents not sending the petitioner for Bhavani Sagar Training at the relevant point of time cannot be held against the petitioner. Hence, this Court directs the third respondent to re-submit the proposal for relaxation from Bhavani Sagar Training after rectifying the errors to the first respondent, within a period of three weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to consider the proposal for relaxation from Bhavani Sagar Training sympathetically, so as to enable the petitioner to receive his balance retirement benefits, within a period of six weeks thereafter. The respondents 1 and 3 are directed to settle the balance retirement benefits due to the petitioner within a period of six weeks thereafter.

8.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

02.02.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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To

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