



WP(MD). No.8312 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 06/04/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.8312 of 2026

I.Thiruthuva Angel Mary

... Petitioner

Vs.

1. The Director of Elementary Education,
College Road, Chennai - 600 009.

2. The District Educational Officer
(Elementary Education), Devakottai,
Sivagangai District - 623 501.

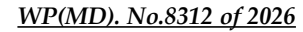
3. The Block Educational Officer,
Kannangudi, Sivagangai District

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the 3rd respondent Block Educational Officer herein to not to recover the excess amount paid to the petitioner from December 2012 and further direct the 3rd respondent Block Educational Officer to forthwith to send the pension proposal with revised pay to the competent authority and to sanction all the retirement benefits to the petitioner.

For Petitioner : Ms.A.Amala

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader



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2. The petitioner herein, while working as the Primary School Headmistress, she was permitted to retire from service on attaining the age of superannuation. Through proceedings dated 06.03.2026, the third respondent herein has refused to revise the pay of the petitioner and proposed to recover certain amounts from the petitioner. A perusal of the said proceedings dated 06.03.2026 would disclose that the same has been issued as a consequence of another proceedings issued by the second respondent vide Na.Ka.No.3450/A5/2025 dated 17.02.2026. Neither the said proceedings dated 17.02.2026 nor the proceedings dated 06.03.2026 is subject matter of challenge before this Court. However, the learned counsel for the petitioner submits that the petitioner has chosen to reserve the right



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to challenge the said proceedings, if necessary, at later point of time.

Without challenging the said proceedings, the petitioner is now seeking a direction to the respondents to process the pension proposals of the petitioner, if necessary, by proposing to recover the amount due and payable under the proceedings dated 06.03.2026 and to ensure that the pension and other terminal benefits of the petitioner are paid in accordance with Tamil Nadu Pension Rules. He further submits that the proceedings dated 06.03.2026 has been issued only on the ground that the third respondent herein was not competent to rectify the pay anomaly and it is only the second respondent who is competent. Therefore, according to her, the respondents instead of issuing the proceedings dated 06.03.2026 revising the pay of the petitioner, thereby reducing the same, ought have taken steps to issue appropriate directions to the competent authority, namely the second respondent. Instead of doing the said exercise, the third respondent has simply issued the impugned proceedings dated 06.03.2026, requiring the petitioner to pay the amounts due and payable under the proceedings dated 06.03.2026 and withholding the pension proposals of the petitioner. Hence, the petitioner approached this Court by filling the present writ petition seeking the relief as stated above.



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4. Mr.N.Satheesh Kumar, learned Additional Government Pleader appearing for the respondents submits that unless and until the petitioner challenges the proceedings dated 06.03.2026, the amounts due and payable by the petitioner under the proceedings are liable to be recovered and in case, if the petitioner remits the said amounts, the pension proposal of the petitioner would be processed in accordance with law.

5. This Court, having taken into consideration, especially, the contention of the learned counsel for the petitioner that the amount under the proceeding dated 06.03.2026 may be recovered from the terminal benefits payable to the petitioner, does not see any impediment for the respondents to process the pension proposal of the petitioner proposing to recover the amount due under the proceedings dated 06.03.2026.

6. In the light of the above, this writ petition is disposed of directing the respondents to process the pension proposals of the petitioner in accordance with Tamil Nadu Pension Rules duly proposing to recover the amounts due under proceedings dated



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06.03.2026 while granting liberty to the petitioner to take steps against the proceedings dated 17.02.2026 issued by the second respondent and the proceedings dated 06.03.2026 issued by the third respondent. It is made clear that the respondents shall process the pension proposals of the petitioner notwithstanding the liberty granted to the petitioner nor any steps that are initiated by the petitioner against the proceedings dated 17.02.2026 and 06.03.2026.No costs.

06.04.2026

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