

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.05.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P(MD)No.11709 of 2018

S.Peter Raj

: Petitioner

Vs.

1. District Educational Officer,
Thoothukudi - 628 003,
Thoothukudi District.

2. The Accountant General,
361, Annasalai, Teynampet,
Chennai-600 018.

3. The Manager of R.C.Schools,
Thoothukudi - 628 001,
Thoothukudi District.

4. The Superintendent of R.C.Schools,
Thoothukudi - 628 001,
Thoothukudi District.

5. The Correspondent,
St. Mary's Higher Secondary School,
Pothakalanvilai,
Thoothukudi District-628 702.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct respondents to disburse Pension and all other Retirement benefits on the basis of the order dated 12.03.2018 passed by the Hon'ble Supreme Court of India in the Civil Appeals No.1868-69 of 2017 within a stipulated time.

For Petitioner

: Mr.J.David Ganesan

For R-1

: Mr.N.Shanmugaselvan,
Additional Government Pleader.

For R-2

: Mr.P.Gunasekaran

ORDER

Mr.N.Shanmugaselvam, learned Additional Government Pleader takes notice for the first respondent and Mr.P.Gunasekaran, learned counsel takes notice for the second respondent.

2.By consent, the writ petition itself is taken up for final hearing.

3.The petitioner has come up with the present writ petition for a mandamus, to direct the respondents to disburse Pension and all other Retirement benefits on the basis of the order dated 12.03.2018 passed by the Hon'ble Supreme Court of India in the Civil Appeals No.1868-69 of 2014.

4.The learned counsel appearing for the petitioner would submit that the petitioner was working as Post Graduate Teacher in History in the fourth respondent school and he was retired from service on 30.06.2014. In the cases filed by the respondents 3 and 4 before the Hon'ble Supreme Court, with regard to his dismissal of service, the Hon'ble Supreme Court directed the respondents 3 and 4 to pay 15% of back-wages and pension from the date of superannuation and since the fifth respondent has not forwarded proposals to the first respondent, he made several representations, but the same have not been considered so far and therefore, the petitioner has come up with the present writ petition.

4.Considering the limited scope of the matter, without expressing any opinion on the claim made by the petitioner, I direct the respondents 3 to 5 to consider the representations of the petitioner dated 19.03.2018, 21.03.2018 and 14.05.2018 and forward the proposal to the respondents 1 and 2, within a period of four weeks from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

/True Copy/

Sd/-

Vacation Officer

[Signature]
12.6.2018
Sub Assistant Registrar

To

1.The District Educational Officer,
Thoothukudi - 628 003,
Thoothukudi District.

2. The Accountant General,
361, Annasalai,
Teynampet,
Chennai-600 018.

+1CC to Mr. J. David Ganesan Advocate in SR.No.66522,

+1CC to Mr. P. Gunasekaran Advocate in SR.No.66521.

CP/SMN

DS/SV/MMS/SAR-2 :11.06.2018: 3P/5C



ORDER MADE IN

W.P(MD)No.11709 of 2018
31.05.2018