
(2011) 03 MAD CK 0450
In the Madras High Court
Case No : Writ Petition No. 20974 of 2008

R. Veerasamy

APPELLANT

Vs

State of Tamil Nadu

RESPONDENT

Date of Decision : 08-03-2011

Acts Referred:

Citation : (2011) 03 MAD CK 0450

Hon'ble Judges : T. Raja, J

Bench : Single Bench

Advocate : A.R. Nixon, for the Appellant; S. Naganathan, GA, for the Respondent

Final Decision : Dismissed

Judgement

T. Raja, J.—The Petitioner has filed the present writ petition seeking issuance of writ of mandamus directing the Respondents to dispose of the Petitioner's representation dated 30.03.2005 to sanction pension to the Petitioner in accordance with law.

2. After the Petitioner's appointment as a Teacher in Sangalikuppan Elementary School on 15.07.1963, his services were regularised from 02.04.1964 and after that, he worked as a Teacher in Gangapuram, Kadali, Valathi, Annamangalam and Iyyakunam Primary Educational Schools. Almost, 22 years, 10 months and 6 days, he continuously worked as a Teacher and due to his health problem and family condition, he resigned his job on 20.05.1986. The said resignation was also accepted by the Respondents. Thereafter, the Petitioner has made a representation stating that he has put in requisite pensionable service and therefore, sought for payment of pension, which was negated by the 2nd Respondent by order dated 23.07.2002 in Mu. Mu. No. A4/960/2002, specifically stating that the Petitioner's request cannot be considered, since there was no precedent example in this regard. Subsequently, the Petitioner, once again, has given representation to the 1st Respondent to pass order to sanction pension, to which he is legally eligible. The 1st Respondent, after receipt of his

representation, has not passed any order. Therefore, the Petitioner was constrained to file the present writ petition.

3. The prayer sought for by the Petitioner cannot be considered, for the simple reason that the Petitioner had resigned from service on 20.05.1986 and the said resignation was also accepted by the Respondents. After keeping quite for so many years, the Petitioner had made a representation only in the year 2002, the same was also rejected by the 2nd Respondent by order dated 23.07.2002, which has not been challenged by the Petitioner till now. Therefore, the subsequent representation made by the Petitioner cannot be legally sustainable. On that basis, this Court does not find any reason to entertain the present writ Petitioner. Accordingly, the same is dismissed. No Costs. Consequently, M.P. No. 1 of 2009 is closed.