

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.09.2015

Coram:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30677 of 2015
and
M.P.No.1of 2015

B.B.Parameshwari ... Petitioner
vs.

1. The Joint Commissioner,
Corporation of Chennai,
Chennai - 3.
 2. The Educational Officer,
Corporation of Chennai,
Chennai - 3.
 3. The Assistant Educational Officer,
Corporation of Chennai,
Chennai - 3.
- ... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to declare the probation of the petitioner, regularise the period from 01.08.2014 to 31.03.2015 as compulsory wait and pay salary by considering the representations dated 17.04.2015 and 29.07.2015.

For Petitioner : Mr.C.Selvaraju, Sr. Counsel
for M/s.C.S.Associates

For Respondents : Mr.G.Anantha Rangan

ORDER

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

2. The petitioner was provisionally selected for the post of Physical Education Teacher through employment exchange registration Statewise seniority, on 10.11.2010 and she was allotted to Chennai Corporation and was given posting in Girls Higher Secondary School in the vacant place and when she tried to join the said post, she was informed that there was no vacancy and therefore, she approached the

Deputy Commissioner (Education) and requested to give posting orders and thereafter she was issued with a revised order and she was posted at Corporation Middle School, Tana Street, Purasawalkam, Chennai-84 and she also joined the said school on 22.12.2010. However, she came to know that the said post was filled up by the junior of the petitioner one Mr.Mohan and once again she has approached the Educational Officer of Chennai and submitted a representation and in the interregnum, she was assigned with duties and responsibilities also. The petitioner would further state that on 19.8.2013 she was transferred from Nammalwarpet School to the Corporation School at Lloyds Road Boys Higher Secondary School and challenging the said order of transfer, she filed writ petition in W.P.No.25028 of 2013, which was dismissed on 6.9.2013 and though she has joined duty in the said school on 19.9.2013, she was not assigned with any work, but was assigned with library work connected with the Library and she was doing the said work up to March 2014 and thereafter, she was not assigned with any kind of work. The petitioner, in this regard, has submitted a representation to the Deputy Commissioner of Chennai Corporation (Education) for giving the posting order and in the interregnum, she was transferred from Corporation Middle School, Tana Street, Chennai, to Corporation Boys Higher Secondary School, Lloyds Road, with post, on 31.12.2014. However, the copy of the order was served only belatedly and as a consequence she has not been paid salary from 1.8.2014 to 31.12.2014 and 1.1.2015 to 31.3.2015 and in this regard she has submitted a representation, dated 29.7.2015, to the second respondent. Since no orders have been passed, she came forward to file this writ petition.

3. Heard the submissions of the learned Senior counsel appearing for the petitioner and Mr.G.Anantha Rangan, who accepts notice on behalf of the respondents.

4. Though the petitioner prayed for a larger relief, in the light of the facts and circumstances, this Court directs the petitioner to submit one more representation to respondents 1 and 2, by enclosing a copy of this order as well as the copies of the earlier representations, within a period of two weeks from the date of receipt of a copy of this order and respondents 1 and 2, on receipt of the same, are directed to consider the said representation on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

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5. The writ petition is disposed of accordingly. No costs.
Connected miscellaneous petition is closed.

msk

Sd/-

Assistant Registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

1. The Joint Commissioner,
Corporation of Chennai,
Chennai - 3.
2. The Educational Officer,
Corporation of Chennai,
Chennai - 3.
3. The Assistant Educational Officer,
Corporation of Chennai,
Chennai - 3.

+1 C.C. To MR.G.Anandharangan, Advocate in SR.NO.53487

+1 C.C. To MR. C.S.ASSOCIATES, Advocate in SR.NO.53011

W.P.No.30677 of 2015

KSJ(CO)

sd : 13/10/2015

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