

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31561 of 2015

T.N.Palani Kumar

... Petitioner

Vs.

1 Joint Director of School
Education (Personnal) DPI Campus Chennai
600 006

2 The District Education Officer
Madurai 625 002

3 The Headmaster
Government High School Sozhankudikadu
Ariyalur District 621 709

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to discharge the pay and allowance attached to the post of Junior Assistant to the Petitioner from 28.7.2014 to 11.5.2015 along with interest of 18% together with the Last Pay Drawn Certificate.

For Petitioner : Mr.V.Vijay Shankar

For Respondents : Mr.S.Gunasekaran
Government Advocate

सत्यमेव जयते
O R D E R

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

2.The petitioner would state that he was selected and appointed as Junior Assistant through the Tamil Nadu Public Service Commission and accommodated at Government High School, Sozhankudikadu, Ariyalur District. It is the specific case of the petitioner that right from the date of his appointment, the third respondent was enimical for the reasons best known to him and therefore, the petitioner sought for transfer to any other office and accordingly, vide proceedings dated 06.08.2014, the first respondent has posted him on deputation as Junior Assistant in the office of the second respondent and however, he was holding a lien in the third respondent.

3.The grievance expressed by the petitioner is that right from the date of his initial appointment, he was not paid any pay or allowance attached to the post of Junior Assistant and in this regard, the second respondent has also made a positive direction vide letter dated 17.02.2015 in Na.Ka.No.850/A1/2015 to the third respondent. The petitioner has also submitted a representation dated 07.07.2015 to all the respondents, praying for the payment of pay and allowances and also issuance of last pay certificate and also seek action with regard to the irregularities and since no action has been taken, came forward to file this writ petition.

4.Heard the submissions of Mr.V.Vijay Shankar, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

5.Though the petitioner prayed for the larger relief, this Court in the light of the above facts and circumstances, directs the third respondent to consider and dispose of the petitioner's representation dated 07.07.2015 on merits and in accordance with law after taking note of the proceedings of the second respondent dated 17.02.2015 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.

6.The writ petition is disposed of accordingly. No costs.
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-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1 Joint Director of School
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600 006

2 The District Education Officer
Madurai 625 002

3 The Headmaster
Government High School Sozhankudikadu
Ariyalur District 621 709

+ 1 cc to Mr.V.Vijayshankar, Advocate SR 54460

+ 1 cc to Govt.Pleder SR 54759

ksj(co)

prk15/10

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