

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYNARAYANAN

WP.No.34714/2015

R.Moorthirajan

.. Petitioner

Versus

1. The Secretary,
Education Department
Fort St George,
Chennai - 600 009.
 2. The Director of School Education,
DPI Compound,
Chennai - 600 006.
 3. The District Educational Officer
Virudhunagar District.
 4. The Secretary
Nadar Primary School, Zamin Kollan
Kondan, Rajapalayam Taluk,
Virudhunagar District.
- .. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing 1st and 2nd respondents to pass orders on the representation dated 02.02.2015 seeking arrears of salary from the month of February 2014 and till date and every month thereafter on merits and within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar

For Respondents: Mr.V.Subbiah, Spl.GP

ORDER

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

2. The petitioner would state that while working as a School Assistant in the services of the 4th respondent, he entered on medical leave between 17.01.2014 and 05.02.2014 for a period of twenty days and during the period, he underwent a surgery and reported for duty along with Fitness Certificate and also started discharging his duties with effect from 06.02.2014 ; however, he was not paid monthly salary

from February 2014 and in this regard, he has approached the concerned authorities and the Chief Educational Officer, Virudhunagar, vide proceedings dated 09.05.2014 has also informed the petitioner that the 3rd respondent will look into the issue and however, he has not been favoured with any response. The petitioner in this regard has also filed WP.No.9898/2015 and it was withdrawn with liberty to file fresh writ petition on the same cause of action.

3. Learned counsel for the petitioner would submit that the petitioner has been repeatedly submitting representation to the authorities concerned with regard to the non-payment of salary and he is yet to be favoured with any response. Hence, the petitioner is constrained to approach this Court by filing this writ petition.

4. This Court heard the submissions of Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

5. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into merits of the same, directs the respondents 2 and 3 to consider and dispose of the representation of the petitioner dated 02.02.2015 on merits and in accordance with law and pass orders within a period of eight 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.

AP

Sd/-

Assistant Registrar (CS-VII)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary,
Education Department
Fort St George,
Chennai-9.

2. The Director of School Education,
DPI Compound, Chennai-6.

3. The District Educational Officer
Virudhunagar District.

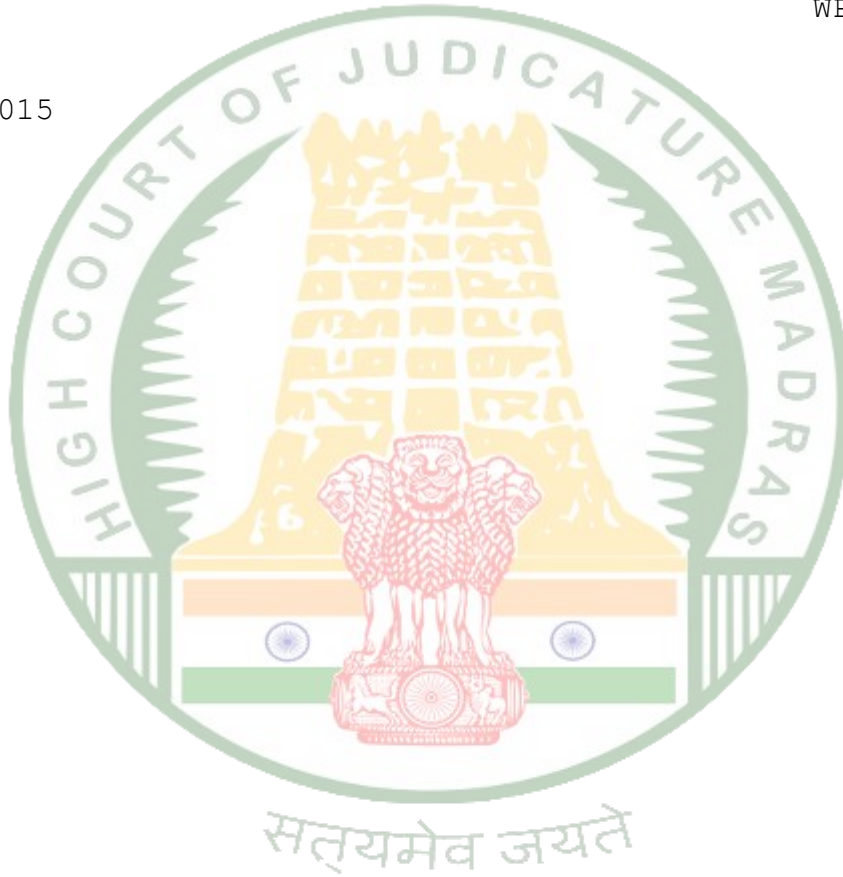
4. The Secretary
Nadar Primary School, Zamin Kollan
Kondan, Rajapalayam Taluk,
Virudhunagar District.

+1 C.C. To MR.L.Chandrakumar, Advocate in SR.NO.59618

+1 C.C. To Government Pleader in SR.NO.60042

WP.No.34714/2015

NM(CO)
sd : 19/11/2015



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