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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.18203 of 2015

Dr.Mohanraj Ebenzer

... Petitioner

Vs.

1.The Director of Collegiate Education,
College Road,
Chennai.

2.The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli.

3.The Accountant General (A & E),
Office of the Accountant General,
Teynampet,
Chennai.

4.The Secretary,
St.Johns College,
Palayamkottai,
Tirunelveli.

5.The Principal,
St.Johns College,
Palayamkottai,
Tirunelveli.

... Respondents

PRAYER:- Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the fourth and fifth respondents to sent the proposal for payment of the earned leave and unearned leave to the second respondent herein and consequently direct the second respondent to pay the same to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.Veera Kathiravan

For RR 1 & 2 : Mr.Aayiram K.Selvakumar
Government Advocate

For R - 3 : Mr.P.Gunasekaran

**ORDER**

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This Writ Petition has been filed by Mohanraj Ebenzer, seeking a Writ of Mandamus, directing the fourth and fifth respondents to sent the proposal for payment of the earned leave and unearned leave to the second respondent herein and consequently direct the second respondent to pay the same to the petitioner.

2. The learned counsel appearing for the petitioner submitted that the petitioner, who is a retired employee from the fifth respondent College, has made a representation requesting the respondents 4 and 5 to pay his earned leave and unearned leave salary. However, due to the dispute prevailing over the Management, the petitioner's request was not considered. Therefore, the petitioner has come forward with this application.

3. Mr.Aayiram K.Selvakumar, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.P.Gunasekaran, learned counsel takes notice for the third respondent.

4. Since the representation dated 23.09.2015 pending before the respondents 4 and 5 to be disposed of, this Court dispenses with the notice to the respondents 4 and 5, as it is unnecessary hardship to the respondents 4 and 5.

5. Considering the limited prayer, this Court hereby directs the third respondent to send a recommendation to the second respondent- the Joint Director of Collegiate Education, Tirunelveli Region, Tirunelveli and on receipt of the same, the second respondent would do the needful within a period of three weeks from the date of receipt of a copy of this order.

6. The Writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(R)

/True Copy/

Sub Assistant Registrar



To

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- 1.The Director of Collegiate Education,
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St.Johns College,
Palayamkottai,
Tirunelveli.
- 5.The Principal,
St.Johns College,
Palayamkottai,
Tirunelveli.

+1cc to Mr.Veera.Kathiravan, Advocate Sr.No.59776
+1cc to Mr.P.Gunasekaran, Advocate Sr.No.59810

akm/30.10.2015 /3p-8c/

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