



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2015

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P (MD) No.20127 of 2015
and M.P. (MD) Nos.1 to 3 of 2015

N.L.SIVAKUMAR

... Petitioner

Vs.

1.THE STATE OF TAMIL NADU
REP.BY ITS SEC. DEPT. OF SCHOOL EDUCATION,
FORT ST. GEORGE, CHENNAI-9.

2.THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI-6.

3.THE CHIEF EDUCATIONAL OFFICER,
TRICHY, TRICHY DISTRICT.

4.THE DISTRICT EDUCATIONAL OFFICER,
TRICHY, TRICHY DISTRICT.

5.THE SECRETARY
THE HR. SEC. SCHOOL FOR BOYS
SRIRANGAM, TRICHY DISTRICT.620 006

6.THE SECRETARY,
SRIRANGAM EDUCATIONAL SOCIETY,
SRIRANGAM,
NO.2 SINGER KOIL STREET,
SRIRANGAM,
TRICHY DISTRICT 620 006.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 3rd respondent Chief Educational Officer Trichy deploying the petitioner from the 5th respondent school to Thiagarasar Mill Hr. Sec. School Manaparai Trichy District vide proceedings in Na.Ka.No.5500/Aa1/2014 dated 30.10.2015 and the consequential order issued by the 5th respondent school dated 03.11.2015 relieving the petitioner from the 5th respondent school quash the same pass such further or other suitable orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner

: Mr.S.Xavier Rajini

For R1 to R4

: Mr.B.Pugalenth

Special Government Pleader

<https://hcservices.ecourts.gov.in/hcservices/>

FOR R5 & R6

: Mr.K.S.Vamsidhar

O R D E R

The petitioner has questioned the order deploying him from the fifth respondent school to Thiagaraasar Mill Higher Secondary School, Manaparai, Trichy District.

2. Now the learned counsel for the petitioner has submitted that he is willing to join at the school to which he was deployed.

3. The learned counsel for the petitioner has submitted that the petitioner is not disbursed salary from June 2015 onwards, while he was deployed by the order dated 30.10.2015 and he was relieved on 03.11.2015.

4. If the salary is not paid from June 2015, the educational authorities are liable to pay the same, since the non-payment of salary amounts to violation of Articles of 21 and 14 of Constitution of India.

5. Hence, the respondents 2 to 4 shall ensure that the salary is paid from June 2015 and the petitioner shall also be paid salary from the re-deployed period, with arrears of salary from June 2015 upto 30.11.2015 and the same shall be paid within a period of four weeks from the date of receipt of a copy of this order. The respondents 1 to 4 shall also ensure the employment of the petitioner at the deployed place.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected M.P.s are closed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar.

To

1. THE SECRETARY, DEPT. OF SCHOOL EDUCATION, FORT ST. GEORGE, CHENNAI-9.
2. THE DIRECTOR OF SCHOOL EDUCATION, COLLEGE ROAD, CHENNAI-6.
3. THE CHIEF EDUCATIONAL OFFICER, TRICHY, TRICHY DISTRICT.
4. THE DISTRICT EDUCATIONAL OFFICER, TRICHY, TRICHY DISTRICT.
5. THE SECRETARY, THE HIGHER SECONDARY SCHOOL FOR BOYS, SRIRANGAM, TRICHY DISTRICT-620 006
6. THE SECRETARY, SRIRANGAM EDUCATIONAL SOCIETY, SRIRANGAM, NO.2 SINGER KOVIL STREET, SRIRANGAM, TRICHY DISTRICT-620 006

+1CC to Mr. Xavier Rajini, Advocate, SR.No. 68901.
+1CC to Mr. K.S. Vamsidhar, Advocate, SR.No. 69055

W.P (MD) No. 20127 of 2015
and M.P. (MD) No. 1 of 2015
01.12.2015