



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2015

CORAM

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THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD)No.9463 of 2011 and M.P(MD)No.2 of 2011

- 1.B.Rajan Nightingale
- 2.A.Jayakavitha
- 3.E.Irulappa Duraichi
- 4.C.Chandra
- 5.D.Sasikaran Jabakumar
- 6.S.Sonia
- 7.A.Michale Franklin
- 8.Jayantha Ebenezer
- 9.Mark Judah

... Petitioners

Vs.

- 1.The Director of Teacher Education and Research,
College Road, Chennai-6.
- 2.The Principal,
District Institute of Teacher Education,
Munanjipatti, Tirunelveli District.
- 3.The Manager,
T.D.T.A.higher Secondary,
S.P.L.Schools and Teacher Training
Punithavathiyar Street, Tirunelveli.
- 4.The Secretary,
Tirunelveli Diocese Trust Association,
No.5, Punithavathiar Street,
Palayamkottai, Tirunelveli.
- 5.The Chairman/Bishop,
Tirunelveli Diocese Trust Association,
A Company registered under the
Companies Act,
No.5, Punithavathiar Street,
Palayamkottai, Tirunelveli.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the Respondents to pay the salary due to the petitioners from June 2010 with interest and directing the Respondents to pay the salary for the future months without any default in the respective months.



For Petitioners: Mr.C.Jegannathan

For R1 & R2 : Mr.M.Murugan
Govt. Advocate

For R3 & R4 : Mr.S.Chellapandian

For R5 : Mr.S.Meenakshi Sundaram

ORDER

The petitioners have come up with this writ petition to direct the Respondents to pay the salary due to the petitioners from June 2010 with interest and also consequently directing the Respondents to pay the salary for the future months without any default in the respective months.

2.The case of the petitioner is that they are the teaching staff of the Bishop Sargent Teacher Institute at Palayamkottai. The said institute is a minority institution run by the Tirunelveli Diocese Trust Association under the administrative control of the respondents 1 and 2. There was a dispute in conducting election to the Executive Committee of Tirunelveli Diocese and therefore, several suits are pending before the Civil Court and cases are pending before the Hon'ble Supreme Court. Due to the dispute between the two groups, the respondents 3 to 5 after receiving grant from the respondents 1 & 2 not disbursing the salary to the petitioners from June 2010. In the year 2013 the said institution has been closed. Therefore, the petitioners have sent a representation to the third respondent. The third respondent did not pass any orders on the representation of the petitioners. Therefore the petitioners filed the present writ petition for the relief sought for.

3.Heard Mr.C.Jegannathan, learned counsel appearing for the petitioner, Mr.M.Murugan, learned Government Advocate for R1 & R2, Mr.S.Chellapandian, learned counsel for R3 & R4 and Mr.S.Meenakshi Sundaram, learned counsel for R5.

4.Though the larger relief is sought for in the writ petition, during the course of the arguments the learned counsel for the petitioners restricted his relief and submitted that it would suffice to direct the respondents to pass orders on the representation of the petitioners.

5. In the above circumstances, the petitioners are directed to send a fresh representation along with their service particulars to the respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the respondents are directed to consider the petitioners representation and pass orders on merit and in accordance with law within a period of 12



weeks thereafter. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(Per Admn.)

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Sub Assistant Registrar

To

1.The Director of Teacher Education and Research,
College Road, Chennai-6.

2.The Principal,
District Institute of Teacher Education,
Munanjipatti, Tirunelveli District.

+1cc to Mr.S.Meenakshi Sundaram,Advocate, SR.No.3432

+1cc to Mr.Veera Kathiravan,Advocate, SR.No.2790

+1cc to Mr.S.Chellapandian,Advocate, SR.No.2928

+1cc to Special Govt.Pleader SR.No.3333

W.P. (MD) No.9463 of 2011
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