

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.15320 of 2016

K.Poomarimuthu

... Petitioner

Vs.

1 Joint Director of Secondary Education
College Road,
Chennai - 600 006.

2 The District Educational Officer,
Srivilliputtur Educational District,
Srivilliputtur-626 125.
Virudhunagar District.

3 The Secretary
A.A.G.M. High School,
No.18, C.V.Raman Salai,
Alwarpet,
Chennai - 600 018.

.... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the representation dated 12.01.2016 made by the petitioner through the second respondent as against the third respondent, requesting to appoint a Special Officer, to withdraw the recognition and to take over the third respondent management, within a time frame as may be fixed by this Honourable Court.

For Petitioner : Mr.S.Subbiah

For Respondents : Mr.P.Sanjai Gandhi for R1 and R2
Additional Government Advocate

O R D E R

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

2.The petitioner was working as Head Master in the third respondent aided institution and was dismissed from service vide order dated 10.12.2005 and the petitioner was constrained to approach this Court by way of filing writ petition in W.P.(MD) No.11607 of 2005 before the Madurai Bench of this Court, challenging the said order and it was allowed on 23.02.2006 with direction to reinstate the petitioner as Head Master forthwith. Subsequently, the petitioner approached the third respondent very many times seeking permission to join the duty and he was allowed to join duty, but subsequently, placed under suspension and once again it was the subject matter of challenge in W.P. (MD) No.2789 of 2006 before the Madurai Bench of this Court and he obtained interim order dated 23.03.2006 in W.P.M.P.(MD) No.3048 of 2006 and consequently, the writ petition was allowed on 13.12.2012.

3.The grievance expressed by the petitioner is that despite his reinstatement in service, the statutory benefits payable to him have not been paid and in this regard, approached the official respondents very many times and the second respondent has also sent very many communications to the third respondent to pay the statutory entitlements due and payable to the petitioner and inform the same to them and the last of such communication, was sent on 27.05.2008 in R.C.No.3275/A4/08. Therefore, the petitioner is constrained to approach this Court by way of filing this writ petition.

4.The learned counsel appearing for the petitioner would submit that the second respondent vide communication dated 27.05.2008, has directed the third respondent to pay the statutory entitlement payable to the petitioner and despite that, no orders have been passed and therefore, the petitioner came forward to file this writ petition.

5.This Court also heard the submissions of Mr.P.Sanjai Gandhi, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 2.

6.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, directs the first respondent to consider and dispose of the petitioner's representation dated 12.01.2016 in accordance with law, after putting on notice, the third respondent 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 as well as to the third respondent.

7.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

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To

1 The Joint Director of Secondary Education
College Road,
Chennai - 600 006.

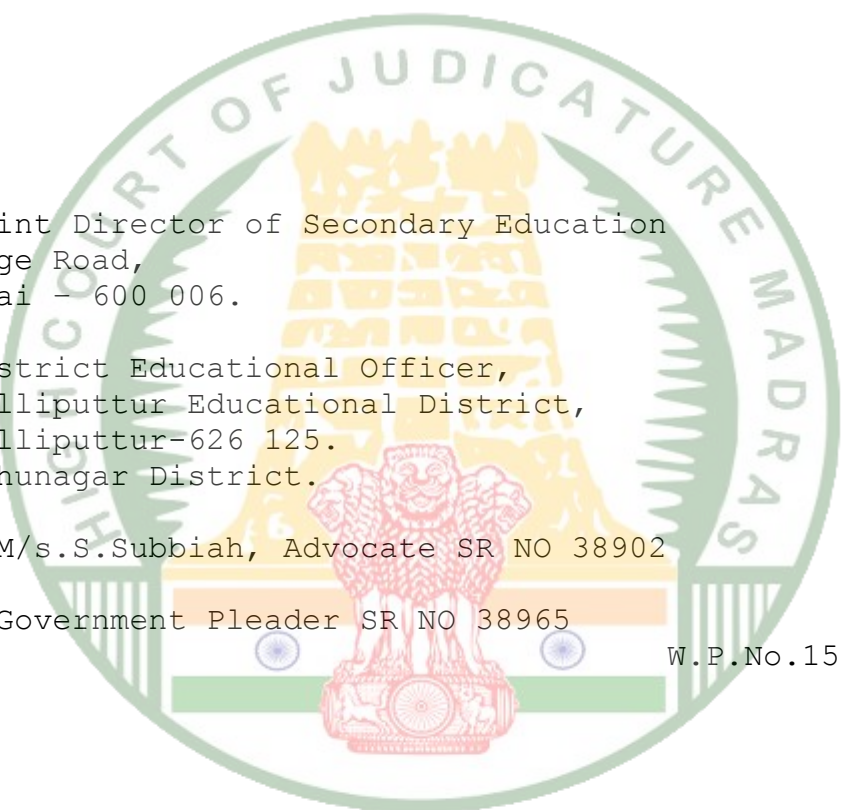
2 The District Educational Officer,
Srivilliputtur Educational District,
Srivilliputtur-626 125.
Virudhunagar District.

+ 1 CC to M/s.S.Subbiah, Advocate SR NO 38902

+ 1 CC to Government Pleader SR NO 38965

W.P.No.15320 of 2016

VS[CO]
GP/21.7.



सत्यमेव जयते

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