

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.1615 of 2016

S.Meganathan

... Petitioner

Vs.

1.The Director of School Education,
DPI Complex,
College Road,
Chennai-600 006.

2.The District Educational Officer,
Tirupattur-635 601.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent to pass appropriate orders on the appeal petition dated 22.02.2012 challenging the order dated 24.09.2009 passed by the second respondent in his Rc.No.4957/B1/2009, by directing the second respondent to fix the incentives acquired by him with the Higher Educational qualifications, during the period of his employment from 07.01.1974 as the Assistant Teacher to 30.11.2005, till he retired as the Head Master of Higher Secondary School, together with interest, at such rates admissible under law, within a time frame.

For Petitioner : Mr.S.Subbiah

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader.

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. Heard Mr.S.Subbiah, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice on behalf of the respondents.

3. The learned counsel for the petitioner would submit that aggrieved over the order passed by the second respondent dated 24.09.2009, the petitioner has preferred an appeal before the first respondent on 22.02.2012. But so far, there is no communication from the first respondent and therefore, the petitioner made an application under the Right to Information Act. The learned counsel further submitted that the delay in disposal of the appeal process would cause mental agony to the petitioner.

4. Mr.V.Jayaprakash Narayanan, the learned Special Government Pleader submitted that there is no proof for filing the appeal on 22.02.2012 and if a copy of the appeal is given to the first respondent within a period of two weeks, the first respondent would consider the same and pass appropriate orders within a reasonable time.

5. This Court, considering the submissions made on either sides and in the light of the above facts and circumstances, permits the petitioner to give one more copy of the appeal dated 22.02.2012 to the first respondent within a period of two weeks from the date of receipt of a copy of this order. The first respondent, on receipt of the same, is directed to consider the same and pass orders on merits and in accordance with law, within a period of eight weeks therefrom and communicate the decision taken, to the petitioner.

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

Sd/-
Assistant Registrar(J)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

To

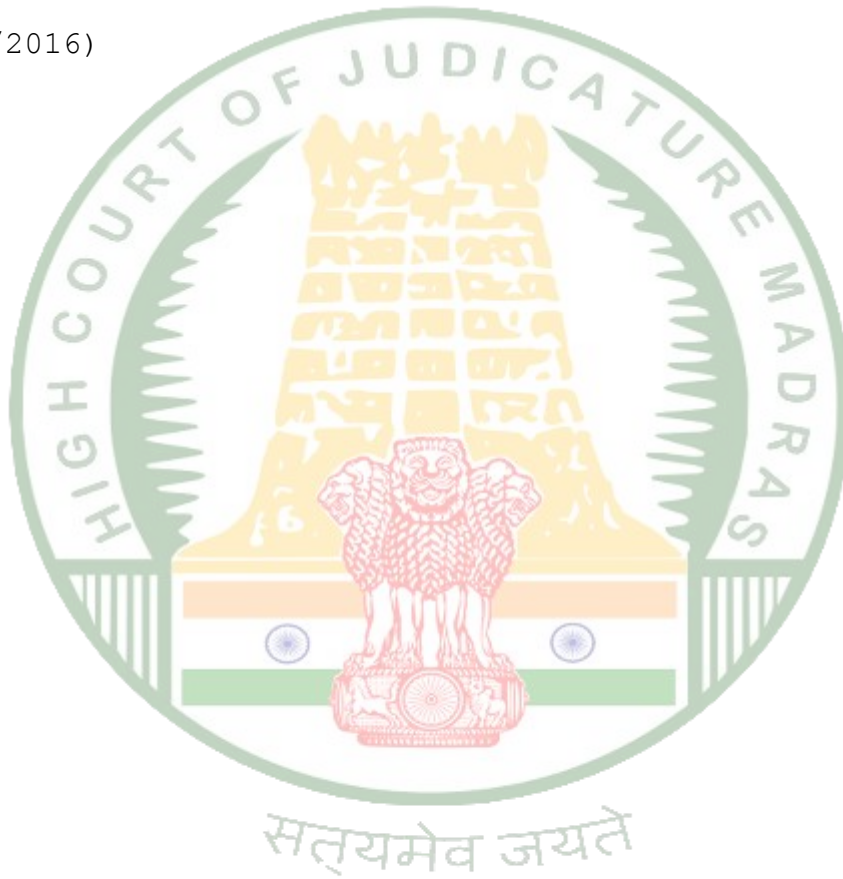
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+1cc to M/S.Subbiah, Advocate, S.R.No.2945
+1cc to the Government Pleader, S.R.No.3016

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rsk (CO)
srg (24/02/2016)



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