

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.05.2016

CORAM

THE HONOURABLE MR. JUSTICE M.V. MURALIDARAN

W.P. No. 18540 of 2016

Tmt.B. Muniammal

..Petitioner

Vs.

1. The District Collector,
Vellore District,
at Vellore.
 2. The Assistant Director,
(Panchayats),
Vellore, Vellore District.
 3. The Block Development Officer,
Arcot, Vellore District.
 4. The Panchayat President,
Mecheri Village Panchayat,
Arcot Taluk, Vellore District.
- ...Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing respondents 1 to 4 to permit the petitioner to continue as a Water Tank Operator and pay her arrears of salary since September 2015, as on date by considering her representation dated 22.04.2016 in the light of the proceedings in O.Mu.A4/3289/2015 dated 27.11.2015 passed by the 2nd respondent immediately.

For Petitioner :: Mr.B. Gopalakrishnan

For Respondents:: Mrs. P. Kavitha,
Govt. Advocate

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O R D E R

This writ petition is filed for issue of a Writ of Mandamus directing respondents 1 to 4 to permit the petitioner to continue as a Water Tank Operator and pay her arrears of salary since September 2015, as on date by considering her representation dated 22.04.2016 in the light of the proceedings in O.Mu.A4/3289/2015 dated 27.11.2015 passed by the 2nd respondent immediately.

2. The case of the petitioner is that he was appointed as a Water Tank Pump Operator in the 4th respondent Panchayat through their resolution dated 20.03.2007 and the appointment of the petitioner was also approved by the 3rd respondent. Further, the 3rd respondent, by proceedings dated 10.07.2009, ordered for enhancement of 25% of salary as per the 6th Pay Commission. But, all of a sudden, the 4th respondent did not allow the petitioner to continue his work in the said post and he also committed default in payment of salary to the petitioner. Due to stoppage of monthly salary, the petitioner made a representation to the 2nd respondent on 21.11.2015 and the 2nd respondent, vide proceedings in O.Mu.A4/3289/2015 dated 27.11.2015 directed the 3rd respondent to take suitable action on the representation of the petitioner for disbursement of arrears of salary. However, no action was taken. Hence, the petitioner, once again, submitted another representation dated 22.04.2016 to the 2nd respondent, seeking arrears of salary. Since no orders have been passed, till date, the petitioner has come forward with the present writ petition.

3. Considering the pendency of the representation of the petitioner, with regard to disbursement of salary for the months of September and October, 2015, without going into the merits of the case, this Court directs the 2nd respondent to consider the representation of the petitioner dated 22.04.2016 and pass appropriate orders, taking into account the proceedings dated 27.11.2015 in O.Mu.A4/3289/2015 issued by the 2nd respondent, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

nv

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Vellore District,
at Vellore.
2. The Assistant Director,
(Panchayats),
Vellore, Vellore District.
3. The Block Development Officer,
Arcot, Vellore District.

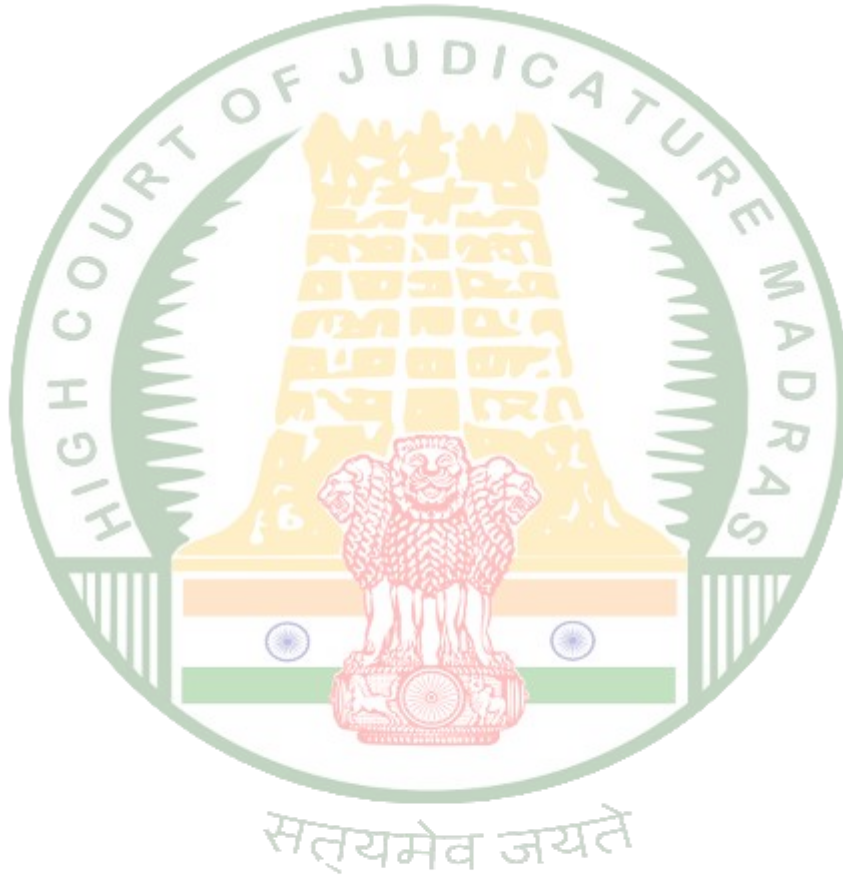
4. The Panchayat President,
Mecheri Village Panchayat,
Arcot Taluk, Vellore District.

+ 1 cc to Mr.B.Gopalakrishnan, Advocate SR 28911

+ 1 cc to Govt.Pleader SR 28951

ug(co)
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