

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.35814 of 2016

E.Sudha

.. Petitioner

Vs.

- 1 The Director (ADW)
Adi Dravidar and Tribal Welfare Department
Chepauk Chennai-600 005.
 - 2 The Collector
Villupuram District Villupuram
 - 3 The District Welfare Officer
Adi Dravidar and Tribal Welfare Department
Villupuram District
 - 4 The Special Thasildar
Kallakurichi Circle Villupuram District
- .. Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents 1, 3 and 4 to consider the petitioner's representation dated 23.6.2016 in pursuant to the regular salary as well as arrears of salary since the date of joining 05.11.2015 to till date within the stipulated time prescribed by this Court.

For Petitioner : Mr.R.Balaguruswamy
For Respondents : Mr.S.N.Parthasarathi,
Govt. Advocate

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents 1, 3 and 4 to

consider his representation dated 23.6.2016 in pursuant to the regular salary as well as arrears of salary since the date of joining 05.11.2015 to till date within the stipulated time prescribed by this Court.

3. It is the case of the petitioner that during 1996, she was appointed as Secondary Grade Teacher by the first respondent. After various transfer / promotion, finally she was posted as Warden, Government Adi Dravida Welfare Hostel, Kallakurichi, on 5.11.2015 in the place of one M.Selvi, vide order dated 5.11.2015 and she has been relieved from the previous post on 6.11.2015. Subsequently, she has joined the present post on 7.11.2015. While so, the said M.Selvi filed a writ petition before this Court in W.P.No.36732 of 2015 challenging the transfer order dated 5.11.2015 and this Court, by order dated 20.11.2015, granted an order of status quo, due to which, the petitioner is continuing in the present post till date. However, based on the said order of status quo, the respondents 1, 3 and 4 have not credited the salary of the petitioner from the date of transfer i.e., on 5.11.2015 till date. In this regard, the petitioner sent several representations to the respondents 1, 3 and 4. However, the same were not considered. Finally, she has sent a representation dated 23.6.2016 to the respondents 1, 3 and 4 seeking salary. But, the same was also not considered. Hence, left with no other alternative, the petitioner has up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the respondents 1, 3 and 4 to consider the representation of the petitioner dated 23.6.2016 seeking salary as well as arrears of salary from the date of joining i.e., on 05.11.2015 to till date and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi

To

- 1 The Director (ADW)
Adi Dravidar and Tribal Welfare Department
Chepauk Chennai-600 005.
- 2 The Collector
Villupuram District Villupuram
- 3 The District Welfare Officer
Adi Dravidar and Tribal Welfare Department
Villupuram District
- 4 The Special Thasildar
Kallakurichi Circle Villupuram District

+1cc to Mr.R. Balagurwamy, Advocate, S.R.No.62011
+1cc to the Government Pleader, S.R.No.62170

cnr (CO)
md(30/11/2016)

W.P.No.35814 of 2016

सत्यमेव जयते

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