

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.33806 OF 2015

ORDER:

The petitioner is working as a Teacher in the fifth respondent school. He submitted a representation to the second respondent on 07.09.2015 stating that the fifth respondent is not forwarding his individual pay bill as a result of which he is not getting salary from May, 2015 to till date. It appears that there was a dispute with regard to the sending of salary bill of Secondary Grade Teacher, Lalita Kumari, who was sent on deputation to another School. In that connection, when the salary bill of the petitioner was not sent by the fifth respondent, the present writ petition was filed.

2. A counter affidavit is filed on behalf of the respondents by the third respondent stating that it is the duty of the Headmaster of the School to claim salaries of all eligible Teachers in one Bill every month and hence, the claim of the petitioner to prefer monthly salary bill of the petitioner without clubbing the salary bill of the other Teacher,

is not justifiable. The petitioner was transferred to the School at Mollapalem in Karlapalem Mandal on deputation basis and similarly, one Lalita Kumari, who was working in the same school, was sent on deputation to another school in the same Mandal. Thus, the petitioner as well as the said Lalita Kumari, have been working on Deputation in different schools other than their parent schools. Since both the teachers are under deputation, the salary of both the teachers have to be claimed in one bill duly enclosing the attendance certificates given by the Headmasters of the

schools where they are working on deputation. The petitioner failed to claim the salary of the said Lalita Kumari, who was sent on deputation on work adjustment basis for the months from January, 2015 to April, 2015 without any reason. Since the disciplinary action takes some time, separate steps were taken for drawal of the salary for the months from January to April 2015 and the headmaster of the Original School was requested to claim her salary along with his salary in one bill and petitioner did not follow the instructions. The petitioner, being the headmaster of the original school, failed to submit pay bills of both the teachers in one bill duly enclosing the attendance certificates issued by the Headmasters of the schools where they are working through respondent Nos.4 and 5.

In spite of several orders, the petitioner failed to claim the salary bill of both the teachers.

3. In view of the above facts stated in the counter affidavit, it appears that it is the duty of the petitioner to claim the salary bills of both the teachers and the petitioner failed to do the same. In view of the clear statement made by the third respondent, the petitioner is under an obligation to follow the directions of the third respondent.

4. In the circumstances, the writ petition is disposed of directing the petitioner to comply with the directions of the third respondent and as and when the petitioner complies with the same, arrangements shall be made for payment of salary to the petitioner.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

JUSTICE A. RAMALINGESWARA RAO

June 21, 2016

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CONTEMPT CASE No.1953 of 2014

17.06.2016

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