

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09.05.2017

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21065 of 2014
and MP No.1 of 2014

A. Robert

.. Petitioner

Versus

- 1.The Inspector of Matriculation School,
Manjakuppam, Cuddalore,
Cuddalore District.
- 2.The Chief Educational Officer,
Thindivanam & Taluk,
Villupuram District.
- 3.The District Educational Officer,
Thindivanam & Taluk,
Villupuram District.
- 4.The Provincial House,
Villa Montfort (2000),
Parattiyur West,
Trichy - 620 009.
- 5.Brother Julian,
Correspondent & Principal
Montford Matric Higher Secondary School,
Tindivanam Town,
Tindivanam Taluk, Villupuram District.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct respondents 1 & 3 herein to direct the 4th & 5th respondents herein to reinstate the petitioner as a Physics Teacher for +1 and +2 classes in the fifth respondents institution also disburse the petitioner's outstanding pending salary due to the tune of Rs.2,66,881/- (Two Lakhs Sixty Six Thousand Eight Hundred and Eighty one Only) on the file of the fifth respondents herein on the basis of the petitioners representation dated 05.06.2014.

For Petitioner : Mr.Dalit Tiger C.Ponnusamy

For Respondents : Mr.A.Zakkir Hussain (for R1 to R3)
Government Advocate
No appearance (for R4)
Ms.Arul Mary (for R5)

O R D E R

The writ petitioner applied for the post of Physics Teacher in the 5th respondent school and subsequently, appointed on 1st June 2012. The petitioner was working and taking classes for 11th and 12th Standards and was handling English subject. In spite of his dedicated service to the institution, the salaries due to him was not paid. Repeated approach of the writ petitioner with the respondents went in vain. Having no other course, the petitioner moved this writ petition under Article 226 of the Constitution of India, with a larger prayer of claiming the entire arrears of salary to the tune of Rs.2,66,881/- and for his reinstatement.

2. The learned counsel appearing for the writ petitioner, restricted the relief sought for in this writ petition by stating that the representation submitted by the writ petitioner shall be directed to be disposed of.

3. The writ petitioner has submitted a representation on 05.06.2014, to the 5th respondent and the copy was marked to all the respondents. The said representation was sent through Registered Post with Acknowledgment Due and the acknowledgments are enclosed in the paper book filed along with the writ petition. However, the writ petitioner has to approach the 1st respondent under the Code of Regulation for Matriculation Schools

4. Accordingly, the writ petition is disposed of giving liberty to the writ petitioner to prefer an appeal, to the 1st respondent, setting out all his grievances, along with all the documents, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same the 1st

respondent is at liberty to consider the appeal so made, on merits and in accordance with law and pass appropriate orders within a period of twelve weeks, thereafter. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Matriculation School,
Manjakuppam, Cuddalore,
Cuddalore District.
2. The Chief Educational Officer,
Thindivanam & Taluk, Villupuram District.
3. The District Educational Officer,
Thindivanam & Taluk,
Villupuram District.

+lcc to M\s Dalit Tiger C.Ponnusamy, Advocate Sr.No.37058
+lcc to Government pleader, Sr.No.37019

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nr(18/05/2017)

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