

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23939 of 2014

M.Bagiyalakshmi

... Petitioner

Vs

- 1.The Director ,
Adi Dravida Welfare,
Chepauk, Chennai - 600 005.
- 2.The District Adi Dravida Welfare Officer,
Collector's Office Building,
Sathuvacheri, Vellore - 632 009.
3. The Special Tahsildar,
Adi Dravida Welfare (L&A)
Walajapet, Vellore District.
4. The Head Master/Headmistress,
A.D.W. School, Ramapuram/Kadaperi,
Walajah Taluk, Vellore
District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay a sum of Rs.10,525/- per month for getting reemployment pay for a period of 4 months from 01.02.2006 to 31.05.2006 is Rs.10,525 x 4months = Rs.42,100/- to the petitioner.

For Petitioner : Mr.S.Chandrasekharan

For Respondents : Mr.R.Vijayakumar [For R1 to R3]
Addl Government Pleader

: No appearance for R4

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to pay a sum of Rs.10,525/- per month for getting reemployment pay for a period of 4 months from 01.02.2006 to 31.05.2006 is Rs.10,525 x 4months = Rs.42,100/- to the petitioner.

2.The learned counsel appearing for the petitioner made a submission that the petitioner was employed as Secondary Grade Teacher in Adi Dravida Welfare School, Kadaperi from 22.07.1982 to 17.12.1996. Thereafter, she was transferred to Adi Dravida Welfare School, Ramapuram, Chennai from 18.12.1996.

3.The writ petitioner had submitted an application seeking for voluntary retirement to the second respondent and the same was accepted and the petitioner was relieved from service on 31.01.2006. However, she was permitted to continue in service till the end of the academic year i.e. upto 31.05.2006. Though, the petitioner was allowed to continue till the end of the academic year. The salary for the re-employment period has not been disbursed to the writ petitioner.

4.In this regard, the petitioner also submitted a representation and the respondents have not responded the same and thus, the writ petitioner was constrained to move the writ petition for direction.

5.The learned Additional Government Pleader appearing on behalf of the respondents states that the writ petitioner had opted to retire on Voluntary Retirement Scheme [VRS] and therefore, all his service records to be verified and thereafter, only the case of disbursement of re-employment salary will be considered.

6.In this regard, several adjournments are given to the department and the department has not produced the file before this Court for adjudication. The conduct of the officials in this regard are to be deprecated.

7.The Court has granted adjournments on several occasions for the purpose of producing files and the department officials are not responded the same. Even today when the Court asked the Addl Government Pleader in respect of production of file, the same is not ready. Thus, this Court has to necessarily direct the Director of Adi Dravida Welfare, Chepauk, Chennai - 600 005, to look into the matter and take appropriate action against the officials, who are responsible for not producing the files

before this court on various dates i.e. 25.10.2017, 31.10.2017, 07.11.2017, 10.11.2017 and today (27.11.2017). Thus, an appropriate action against the officials concerned are required to be initiated in this regard.

8.However, in respect of the relief sought for by this writ petitioner this Court is of the opinion that it is suffice if a direction is issued to the respondents to verify the service records in respect of re-employment salary as claimed by the petitioner and pass appropriate orders in this regard.

9.Thus, the second respondent is directed to consider the case of the writ petitioner in respect of his claim for disbursement of re-employment salary for the period from 01.02.2006 to 31.05.2006 by verifying his service records and pass orders within the period of eight (8) weeks from the date of receipt of a copy of this order and communicate the same to the writ petitioner.

10.Accordingly, the writ petition stands disposed of. However, there is no order as to costs.

Sd/-

Assistant Registrar(CS CCC)

//True Copy//

Sub Assistant Registrar

may

To

- 1.The Director ,
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Walajah Taluk, Vellore District.

+1cc to Mr.S.Chandrasekaran, Advocate, S.R.No.84033

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RRK(13/12/2017)



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