

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2017

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Writ Petition No.31764 of 2004

A.Rajagopal

... Petitioner

//vs//

1. The District Educational Officer,
Cherry Road, Salem-7.

2. The Assistant Elementary Educational Officer,
Vinayagapuram, Attur Post,
Salem District.

3. The Secretary, Educational Agency,
National Middle School,
No.7/5, Gandhi Nagar, Attur,
Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India, to issue a Writ, or order or direction in the nature of Writ of Mandamus, directing the respondents to sanction the 2 increments to the petitioner.

For Petitioner : Mr.C.Prakasam

For 1st & 2nd Respondent : Mr.Zakir Hussain,
(Gov. Advocate)

For 3rd Respondent : No appearance

O R D E R

The petitioner is working as Secondary Grady Teacher in the 3rd respondent Management School for the past 27 years. Due to personal enmity and civil litigation, the 3rd respondent acted against the petitioner and has not sanctioned the increments for the past two years. Aggrieved by the said inaction, the petitioner made a representation dated 18.11.2003 to the 2nd respondent about the illegal act of the third respondent. In respect of the said representation, the 2nd respondent issued a Directorate order on 01.12.2003 to the third respondent to pay the increments from 01.04.2003 and called for reports.

2. The learned counsel appearing for the petitioner would submit that the 3rd respondent, till date, has not acted on the said order of the 2nd respondent.

3. Heard Mr.C.Prakasam, learned counsel appearing for the petitioner and the learned Government Advocate appearing for the first and 2nd respondent. Though the name of the learned counsel for the 3rd respondent is printed in the cause list, no one has appeared.

4. Considering the facts and circumstances of the case and also the submissions made by the learned counsel for the petitioner, this court is inclined to issue a direction to the 2nd respondent to implement the order dated 01.12.2003, by calling explanation from the third respondent, within a period of three months from the date of receipt of a copy of the order.

5. With the above direction, this Writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The District Educational Officer,
Cherry Road, Salem-7.
2. The Assistant Elementary Educational Officer,
Vinayagapuram, Attur Post,
Salem District.
3. The Secretary, Educational Agency,
National Middle School,
No.7/5, Gandhi Nagar, Attur,
Salem District.

+1 cc to Mr.C.Prakasam,advocate,sr.48212

+1 cc to Govt.Pleader,sr.48121.

Ak(co)
krd 29/7

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