



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 15.06.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No. 11159 of 2017

WEB COPY

S.Sumathi,
Secondary Grade Teacher,
Panchayat Union Middle School,
Murappanadu, Tuticorin District.

..Petitioner

Vs.

1. The District Elementary Educational Officer,
O/o. The District Elementary Education Office,
Tuticorin, Tuticorin District.
2. The Assistant Elementary Educational Officer,
O/o. The Assistant Elementary Education Office,
Karungulam, Tuticorin,
Tuticorin District.
3. The Additional Elementary Educational Officer,
O/o. the Additional Elementary Education Officer,
Karungulam Union, Tuticorin,
Tuticorin District.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to pay the subsistence allowance for the suspension period between 25.11.2015 and 30.08.2016 by considering the petitioner's representation, dated 18.04.2017 within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates.

For Respondent : Mr.C.Selvaraj,
Special Government Pleader.

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to pay the subsistence allowance for the suspension period between 25.11.2015 and 30.08.2016 by considering the petitioner's representation, dated 18.04.2017 within the period that may be stipulated by this Court.

<https://hservices.courts.gov.in/hservices/>

2. Heard the learned counsel appearing for the petitioner and

the learned Special Government Pleader appearing for the respondents.

3. Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a Writ of Mandamus to give positive direction to the respondents, the learned counsel for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents 1 and 2 to consider the representation of the petitioner, dated 18.04.2017, on merits within the time stipulated by this Court.

5. Having regard to the limited scope of the prayer that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to issue the following direction:-

"The respondents 1 and 2 are directed to consider the representation of the petitioner, dated 18.04.2017, 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."

6. Accordingly, the Writ petition is disposed of. No costs.
sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The District Elementary Educational Officer,
O/o. The District Elementary Education Office,
Tuticorin, Tuticorin District.
2. The Assistant Elementary Educational Officer,
O/o. The Assistant Elementary Education Office,
Karungulam, Tuticorin,
Tuticorin District.
3. The Additional Elementary Educational Officer,
O/o. the Additional Elementary Education Officer,
Karungulam Union, Tuticorin,
Tuticorin District.

+1cc to M/s.Ajmal Associates, Advocate, SR.60514

+1cc to M/S.Special Government Pleader, SR.60553

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