



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2017

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.1201 of 2017
and

W.M.P (MD) No.1016 of 2017

V.Kumaradass

.. Petitioner

Vs.

1.The District Educational Officer,
Thukkalay Post,
Kanyakumari District.

2.The Headmaster,
Govt.Higher Secondary School,
Eraniel Main Road,
Neyoor Post,
Kalkulam Post,
Kanyakumari District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to disburse the salary arrears and other service benefits payable to the Petitioner for the post of Games Marker in the Office of the second respondent from 20.2.2014 which being the appointment date to till date and also subsequent monthly salary payment with all benefits without any break forthwith.

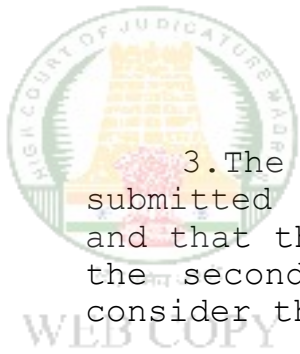
For Petitioner : M/s.S.Palani Velayutham

For Respondents : Mr.M.Rajaraman
Government Advocate

O R D E R

This Writ Petition has been filed, for issuance of a writ of Mandamus, directing the respondents to disburse the salary arrears and other service benefits payable to the Petitioner for the post of Games Marker in the Office of the second respondent from 20.2.2014 which being the appointment date to till date and also subsequent monthly salary payment with all benefits without any break forthwith.

2.Mr.M.Rajarajan, learned Government Advocate takes notice for the respondents. By consent of both parties, the main Writ Petition itself is taken up for final disposal at the stage of admission itself.



3.The case of the petitioner is that the Petitioner has submitted a representation on 17.9.2014 claiming the above relief and that there is a communication dated 30.9.2014 from the office of the second respondent to the office of the first respondent to consider the Petitioner's claim.

4.It is also submitted by the Petitioner that the Petitioner was reinstated pursuant to the order of this Court made in W.P(MD) No.766 of 2010, dated 11.12.12013 and that he is now working as Games Marker but without service benefits.

5.Taking note of the above facts and in the light of the request of the second respondent to the first respondent, dated 30.09.2014 and the representation of the Petitioner, dated 17.09.2014, the first respondent is directed to consider the representation of the Petitioner, dated 17.09.2014 and pass orders on the same, in accordance with law, within a period of two months from the date of receipt of a copy of this order. This Court makes it clear that the delay, if any in making a request can also be considered by the authorities considered.

6.With the above direction, the Writ Petition stands disposed of. Consequently, connected miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

1.The District Educational Officer,
Thukkalay Post,
Kanyakumari District.

2.The Headmaster,
Govt.Higher Secondary School,
Eraniel Main Road,
Neyoor Post,
Kalkulam Post,
Kanyakumari District.

+1 cc to Mr. S.PALANI VELAYUTHAM, Advocate, Sr.No:4612
+1cc to M/S Special Government Pleader, Sr No. 4502

MAS/SV-MMS:08.02.2017:2P/5C

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and

W.M.P (MD) No.1016 of 2017
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