



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.23435 of 2017

WEB COPY

Aided Middle School rep. through
its Secretary, P.Muthaiah, Puliyampatti
Keelakunupatti Post,
Thuraiyur Taluk, Trichy District.

.. Petitioner

Vs.

1. The District Elementary Educational Officer,
Trichy, Trichy District.

2. The Assistant Elementary Educational Officer,
Thuraiyur, Trichy District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation/proposal, dated 23.11.2017 and pass appropriate orders for approval and consequently to consider the payment of salary pending from September, 2017 to the teachers of the petitioner's school and pass such further or other orders.

For Petitioner : Mr.J.Jeyakumaran
For Respondents : Mr.M.Alagathevan,
Special Government Pleader.

ORDER

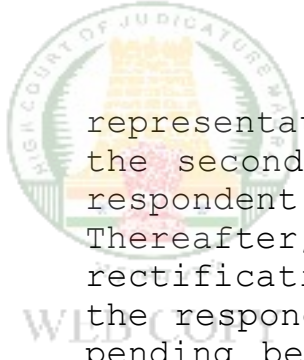
This writ petition is filed seeking a writ of Mandamus to direct the first respondent to approve the petitioner as Secretary of the petitioner's school and school committee and also consider the payment of salary pending from September, 2017 to the teachers of the petitioner's school, based on the petitioner's representation/proposal, dated 23.11.2017.

2.Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents.

3.By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

4.Heard both sides.

5.The case of the petitioner is that on the demise of Secretary of the petitioner's school, the school committee convened a meeting on 27.09.2017 and passed a resolution, nominating the petitioner as Secretary and the petitioner made a



representation, dated 03.11.2017, to the first respondent, through the second respondent, seeking to approve the same and the first respondent returned the same, seeking certain clarifications. Thereafter, the petitioner resubmitted the same after rectification and also made a representation, dated 23.11.2017, to the respondents, seeking to approve the same. Since, the same is pending before the first respondent, the Government has not paid salary to the teachers of the petitioner's school from September, 2017 to till date. Therefore, the petitioner is before this Court.

6.The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner, dated 23.11.2017, is directed to be disposed of by the first respondent, as per law.

7.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner, dated 23.11.2017, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

8.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Elementary Educational Officer,
Trichy, Trichy District.
2. The Assistant Elementary Educational Officer,
Thuraiyur, Trichy District.

+1cc to Mr.J.Jeyakumaran, Advocate Sr.No.93884
+1cc to The Spl.Government Pleader Sr.No.94830

SMN

VB/MR/SAR2/03/01/2018/2P/5C

ORDER MADE IN
W.P(MD)No.23435 of 2017
20.12.2017