



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.05.2017

CORAM:

THE HONOURABLE Mr. JUSTICE M.V.MURALIDARAN
W.P. (MD) Nos. 20588 & 20645 to 20647 of 2016

and

W.M.P. (MD) Nos. 14727 & 14761 to 14763 of 2016 & 7765 to 7767 of 2017

W.P. (MD) No. 20588 of 2016

Uma Maheswara Higher Secondary School committee,
Represented by the Secretary,
Uma Maheswara Higher Secondary School,
Karanthai, Thanjavur - 02.

... Petitioner

Vs.

1. State rep. By,
The Secretary to Government of Tamil Nadu,
School Education Department,
6th Floor, Namakkal Kavingar Maligai,
Fort St. George, Secretariat,
Chennai - 600 009.

2. The Director of School Education,
College Road, Chennai - 600 006.

3. The District Educational Officer,
Thanjavur - 1.

... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from taking any coercive or penal or any other action against the petitioner related to disbursement of arrears of backwages/salary and other benefits to the teachers 1. T.Sumathi, 2. G.Subathra 3.B.Vijayapriya, Savings Bank A/c. Nos.05350100012399, 05350100012400, 05350100012401, Bank of Baroda, Thanjavur Branch, respectively as per the order of this Court in W.P.(MD)No.8896 of 2008, dated 22.12.2008 confirmed by the Hon'ble Division of this Court in W.A.(MD)No.150 of 2012, dated 20.07.2012 and implemented by the respondents as evidenced from the order of the third respondent in his Letter No.1266/A3/2014, dated 05.06.2014.

W.P. (MD) No. 20645 of 2016

T.Sumathi

... Petitioner

Vs.

1. State rep. By,
The Secretary to Government of Tamil Nadu,
School Education Department,
6th Floor, Namakkal Kavingar Maligai,
Fort St. George, Secretariat,
Chennai - 600 009.



2. The Director of School Education,
College Road, Chennai - 600 006.

3. The District Educational Officer,
Thanjavur - 1.

4. Uma Maheswara Higher Secondary School committee,
Represented by the Secretary,
Uma Maheswara Higher Secondary School,
Karanthai, Thanjavur - 02.

...Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from taking any coercive or penal or any other action against the petitioner related to disbursement of arrears of backwages/Salary and other benefits to the Savings Bank A/c. No.05350100012399, Bank of Baroda, Thanjavur Branch, as per the order of this Court in W.P. (MD)No.8896 of 2008, dated 22.12.2008 confirmed by the Hon'ble Division of this Court in W.A.(MD)No.150 of 2012, dated 20.07.2012 and implemented by the respondents as evidenced from the order of the third respondent in his Letter No.1266/A3/2014, dated 05.06.2014.

W.P. (MD)No.20646 of 2016

G.Subathra

... Petitioner

Vs.

1. State rep. By,
The Secretary to Government of Tamil Nadu,
School Education Department,
6th Floor, Namakkal Kavingar Maligai,
Fort St. George, Secretariat,
Chennai - 600 009.

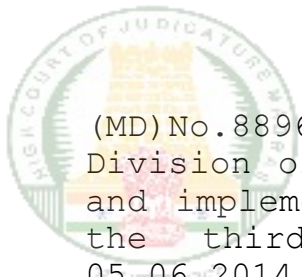
2. The Director of School Education,
College Road, Chennai - 600 006.

3. The District Educational Officer,
Thanjavur - 1.

4. Uma Maheswara Higher Secondary School committee,
Represented by the Secretary,
Uma Maheswara Higher Secondary School,
Karanthai, Thanjavur - 02.

...Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from taking any coercive or penal or any other action against the petitioner related to disbursement of arrears of backwages/Salary and other benefits to the Savings Bank A/c. No.05350100012401, Bank of Baroda, Thanjavur Branch as per the order of this Court in W.P.



(MD)No.8896 of 2008, dated 22.12.2008 confirmed by the Hon'ble Division of this Court in W.A.(MD)No.150 of 2012, dated 20.07.2012 and implemented by the respondents as evidenced from the order of the third respondent in his Letter No.1266/A3/2014, dated 05.06.2014.

W.P. (MD)No.20647 of 2016

B.Vijayapriya

... Petitioner

Vs.

1. State rep. By,
The Secretary to Government of Tamil Nadu,
School Education Department,
6th Floor, Namakkal Kavingar Maligai,
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Director of School Education,
College Road, Chennai - 600 006.
3. The District Educational Officer,
Thanjavur - 1.
4. Uma Maheswara Higher Secondary School committee,
Represented by the Secretary,
Uma Maheswara Higher Secondary School,
Karanthai, Thanjavur - 02.

...Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from taking any coercive or penal or any other action against the petitioner related to disbursement of arrears of backwages/Salary and other benefits to the Savings Bank A/c. No.05350100012400, Bank of Baroda, Thanjavur Branch as per the order of this Court in W.P. (MD)No.8896 of 2008, dated 22.12.2008 confirmed by the Hon'ble Division of this Court in W.A.(MD)No.150 of 2012, dated 20.07.2012 and implemented by the respondents as evidenced from the order of the third respondent in his Letter No.1266/A4/2014, dated 05.06.2014.

(In all W.Ps.)

For Petitioners : Mr.Singaravelu, Senior Advocate,
for Mr.G.Thalaimutharasu.

For R-1 to R-3 : M/s.S.Bharathi,
Government Advocate.



COMMON ORDER

These Writ petitions have been filed for issuance of a Writ of Mandamus, forbearing the respondents from taking any coercive or penal or any other action against the petitioners related to disbursement of arrears of backwages and other benefits to the Savings Bank A/c.Nos.05350100012399, 05350100012400, 05350100012401, Bank of Baroda, Thanjavur Branch, as per the order of this Court in W.P.(MD)No.8896 of 2008, dated 22.12.2008 confirmed by the Hon'ble Division of this Court in W.A.(MD)No.150 of 2012, dated 20.07.2012 and implemented by the respondents as evidenced from the order of the third respondent in his Letter No.1266/A3/2014, dated 05.06.2014.

2. Heard, Mr.Singaravelu, learned Senior counsel appearing for the petitioners and Mrs.S.Bharathi, learned Government Advocate appearing for the respondents 1 to 3.

3. The learned Senior counsel for the petitioners submitted that it would suffice if the representations of the petitioners in W.P.(MD)Nos.20645 to 20647 of 2016 is directed to be disposed of, on merits and in accordance with law, within the time stipulated by this Court.

4. In view of the limited scope of the prayer that is now sought before this Court by the learned Senior counsel for the petitioners, without going into the merits of the petitioners' case, the third respondent is directed to consider the representations of the petitioners in W.P.(MD)Nos.20645 to 20647 of 2016, dated 13.01.2016, in the light of the Judgment of the Hon'ble Division Bench of this Court, in **W.A. (MD)No.150 of 2012, dated 20.07.2012**, and pass orders positively on merits and in accordance with law, after giving an opportunity of personal hearing to the petitioners, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petitions are disposed of. Consequently, the Miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government of Tamil Nadu,
School Education Department,
6th Floor, Namakkal Kavingar Maligai,
Fort St. George, Secretariat,
Chennai - 600 009.



2. The Director of School Education,
College Road, Chennai - 600 006.

3. The District Educational Officer,
Thanjavur - 1.

WEB COPY

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.57914

+1cc to Mr.D.SELVANAYAGAM Advocate in SR. No.57836

+3cc to Mr.G.THALAIMUTHURASU Advocate in SR. No.57833

PMU

JS/JC/SAR.1/2.8.2017/5P-9C

W.P. (MD) Nos.20588 & 20645 to 20647 of 2016
26.05.2017