



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.21924 of 2016

M.Mary Nirmala

... Petitioner

vs.

1)The State of Tamil Nadu,
Rep by its Secretary to the Government,
Department of Education,
Fort St.George, Chennai.

2)The District Elementary Educational Officer,
Tuticorin District,
Tuticorin.

3)The Additional Assistant Elementary Educational Officer,
Sathankulam Division,
Sathankulam,
Tuticorin District.

4)The Correspondent,
St.Antony's Middle School,
Puchikadu,
Tuticorin District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 3rd respondent to disburse the salary to the petitioner for the period of re-employment from 01.03.2016 to 31.05.2016 with all retirement benefits within the period prescribed by this Hon'ble Court by considering the petitioner's representation dated 25.07.2016.

For Petitioner : Mr.R.Aravind Raj

For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

ORDER

This Writ of Mandamus has been filed, seeking for direction to the 3rd respondent to disburse salary to the petitioner, for the period of re-employment from 01.03.2016 to 31.05.2016, by considering the petitioner's representation dated 25.07.2016 within the period to be prescribed by this Court.

2.The petitioner has submitted a representation dated 25.07.2016 to the 3rd respondent, complaining that her salary for the period from 01.03.2016 to 31.05.2016, has not been paid, even after her superannuation. This demand of salary represents the period, during which, the petitioner was on re-employment till the completion of the academic year i.e., 31.05.2016. A proposal has



been submitted by the school authorities and the 3rd respondent alone has passed an order for re-employment of the petitioner on 24.02.2016. But the representation dated 25.07.2016 is not considered and that has driven the petitioner to file this writ petition.

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3.The learned Additional Government Pleader appearing for the respondents would submit that the proposal has not been submitted by the school authorities(R4) and therefore, there is no possibility for the 3rd respondent to sanction salary to the petitioner, for the re-employment period.

4.Under such circumstances, the 4th respondent is directed to submit the proposal to the 3rd respondent, for grant of salary for the re-employment period of the petitioner, within a period of one week from the date of receipt of a copy of this order. On such proposal being submitted by the 4th respondent, the 3rd respondent shall consider the same and sanction salary to the petitioner for the abovesaid period, within two weeks thereafter.

With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar ()

/True Copy/

Sub Assistant Registrar

To

1)The Secretary to the Government,
State of Tamil Nadu,
Department of Education,
Fort St.George, Chennai.

2)The District Elementary Educational Officer,
Tuticorin District,
Tuticorin.

3)The Additional Assistant Elementary Educational Officer,
Sathankulam Division,
Sathankulam,
Tuticorin District.

+1cc to Mr.R.Aravind Raj, Advocate, SR.No.69551

+1cc to Special Government Pleader SR.No.69776

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