



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

AND

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

W.A. [MD] .No.1213 of 2013

and

M.P. (MD) No.2 of 2013

1.The Chief Educational Officer,
Tuticorin,
Tuticorin District,

2.The Head Master,
Government Girls Higher Secondary School,
Kovilpatti,
Tuticorin District.

: Appellants

Vs.

S.Jeyalakshmi

: Respondent

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent, to set aside the order made in W.P.(MD).No.6251 of 2010 and M.P(MD). No.1 of 2010 dated 17.04.2012 on the file of this Court and allow this Writ Appeal.

Prayer in WP(MD). 6251/ 2010 :

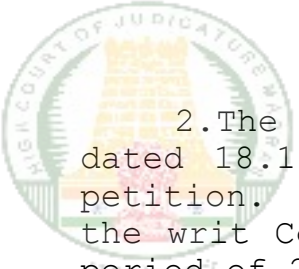
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of certiorarified mandamus or any other appropriate writ in the nature of the above writ calling for the records relating to the impugned audit objections order passed by the 1st respondent in his proceeding Na.Ka.No.5785/A7/01 dated 04.03.2002 for the year 1996-1197 to 2000-2001 and consequential impugned communication of the 2nd respondent in her proceedings Na.Ka.No.202/2009 dated 25.01.2010 and quash the same.

For Appellants	: Mr.V.Muruganantham Special Government Pleader
For Respondents	: Mr.B.Prahaled Ravi for Mrs. Hallmark Associates.

JUDGMENT

[Judgment of the Court was made T.S.SIVAGNANAM, J.]

This writ appeal by the Chief Educational Officer, Tuticorin District and another, is directed against the order dated 17.04.2012 in W.P.(MD)No.6251 of 2010 which was filed by respondent herein, challenging the order passed by the first appellant dated 04.03.2002 and the consequential order dated 25.01.2010, by which an incentive increment, which was granted to the respondent, was sought to be recovered after a period of 20 years.



2.The Writ Court followed an order in W.P(MD)No.5787 of 2007, dated 18.12.2008 under similar circumstances and allowed the writ petition. Thus we find, there is no error in the order passed by the writ Court more so that recovery was sought to be made after a period of 20 years.

3.With the above observation the Writ Appeal is dismissed. No Costs. Consequently, connected miscellaneous petitioner is closed.

Sd/-
Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1.The Chief Educational Officer,
Tuticorin,
Tuticorin District,

2.The Head Master,
Government Girls Higher Secondary School,
Kovilpatti,
Tuticorin District.

+1cc to SPECIAL GOVERNMENT PLEADER in SR. No.59360
+1cc to M/s. B.PRAHALAD RAVI Advocate in SR. No.59536

ARUL/DSK
JS/SKN.RSK/SAR.2/16.6.2017/2P-5C

**JUDGMENT MADE IN
W.A. [MD] .No.1213 of 2013
08.06.2017**