

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.09.2018

Coram

THE HON'BLE MR.JUSTICE SATRUGHANA PUJAHARI

Writ Petition No. 13154 of 2018
and
W.M.P.No.15465 of 2018

V.P.Kalyani

...Petitioner

Vs.

1. The Joint Director of Elementary Education,
(Secondary Grade Education),
College Road, Chennai-6.

2.The district Educational Officer,
Salem.
(cause title amended, vide Court order
dated 08.06.2018 in WMP.No.16137 of 2018
in WP.No.13154 of 2018 by SPIJ)

3.The District Treasury Officer,
Salem.

4.The Secretary cum Correspondent
National High School, Kitchipalayam,
Salem-636 015.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned order passed by the second respondent vide Na.Ka.No.6730/Aa1/2017, dated 31.01.2018 and quash the same and direct the respondents to disburse the scale of pay to the petitioner to the post of B.T.Assistant(Tamil) as fixed by the second respondent by an order dated 18.12.1999.

For Petitioner : Mr.S.N.Ravichandran
For Respondents : Mrs.P.Kavitha, GA for RR1 & 2
Mr.Thangavadhana Balakrishnan,
AGP for R3

ORDER

Heard, Mr.S.N.Ravichandran, the learned counsel appearing for the petitioner and Mrs.P.Kavitha, learned Government

Advocate, who accepts notice on behalf of the respondents 1 & 2 and Mr.Thangavadhana Balakrishnan, learned Additional Government Pleader for R3.

2.The grievance of the petitioner in this case is non-honour of his bill by the third respondent/ District Treasury Officer and return of the same to the petitioner. Hence, the petitioner has come to this Court by way of the present writ petition with a prayer to direct the third respondent/ District Treasury Officer to pay the salary of the petitioner honouring the bill.

3.The learned counsel for the petitioner submits that though the petitioner be promptly submits according to his entitlement but the third respondent without any authority in order to harass the petitioner dis-honoured the pay bill, the petitioner is suffering in the absence of payment of his salary. Hence, he has come to this Court seeking the aforesaid direction and accordingly, necessary direction be issued to the third respondent to honour the pay bill of the petitioner.

4.Mr.Thangavadhana Balakrishnan, the learned Additional Government Pleader for the third respondent /District Treasury Officer submits that some clarification has been sought for with regard to the eligibility of the petitioner to get the scale and soon after receipt of the same, the bill of the petitioner shall be honoured.

5.No one appears for the fourth respondent/employer. However, considering the nature of relief sought for and the urgency of the matter, the learned Government Advocate appearing for the first and the second respondents would submit that necessary steps on their level have been taken to get the clarification if any, in this regard.

6.None appears for the fourth respondent. However, considering the nature of relief sought for and the submissions made, this Court does not feel any necessity of presence of the fourth respondent for disposal of the writ petition and hence, this Court disposes of this writ petition at the stage of admission itself on consent of the parties.

7.Therefore, on hearing the counsel for the parties as aforesaid, this Court dispose of this writ petition with a direction to the third respondent to honour the bill of the petitioner, soon after the same is submitted with the clarification sought for and the fourth respondent is directed to resubmit the bill, within a period of 10 days of receipt of copy of this order. The respondents 1 and 2 shall take necessary steps in this regard for early submission of the bill

of the petitioner with such clarification.

8. With the aforesaid order, this writ petition stands disposed of. However, in the circumstances, there shall be no order as to costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Joint Director of Elementary Education,
(Secondary Grade Education),
College Road, Chennai-6.
 2. The district Educational Officer,
Salem.
 3. The District Treasury Officer,
Salem.
 4. The Secretary cum Correspondent
National High School, Kitchipalayam,
Salem-636 015.
- + 1 cc to Mr.S.N. Ravichandran, advocate SR.66093
+ 2 ccs Government Pleader, SR.66667 & 67101

Writ Petition No. 13154 of 2018

Suv(CO)
EU(16/10/2018)

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