



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.1345 of 2018

Solachi

...Petitioner

Vs.

1.The District Educational Officer,
Aranthangi, Pudukottai District.

2.The Chief Educational Officer,
Pudukottai.

3.Ulagappar Higher Secondary School,
Ramachandrapuram & Post,
Thirumayam Taluk,
Pudukottai District,
Represented by its Secretary,
Mr.C.Ravi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to approve the fixation of the petitioner's pay in accordance with the letter of the third respondent school in Mu.Mu.No.130/A/2016 dated 17.03.2016, considering her representation dated 04.01.2018.

For Petitioner : Ms.K.Mahalakshmi
For Respondents : Mrs.S.Srimathy for R1 & R2
Special Government Pleader
: Mr.R.P.Ramchanthiran, for R3

ORDER

Heard the learned counsel on either side.

2.By consent of both the parties, the main Writ Petition itself is taken up for final disposal.

3.The petitioner participated in a strike against the management of the third respondent/School and abstained from duty for over 269 days from 07.09.1992 to 02.06.1993. It appears that the first respondent by proceedings dated 04.02.2016 has regularised the said period as leave on loss of pay.



4.The learned counsel for the petitioner submitted that the petitioner now wants fixation of her pay in view of the said regularisation order. The third respondent had already given his proposal on 17.03.2016. The first respondent has to take decision in the matter.

5.The learned Special Government Pleader appearing for the respondents 1 and 2 submitted that since the issue has financial implication, the first respondent may not be in a position to decide on his own. Be that as it may, the respondents 1 and 2 are directed to pass appropriate orders after obtaining clarifications from the departmental superiors and pass orders on the proposal dated 17.03.2016 submitted by the third respondent. Such order shall be passed within a period of twelve weeks.

6.The Writ Petition is disposed of in the above terms. No costs.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

1.The District Educational Officer,
Aranthangi, Pudukottai District.

2.The Chief Educational Officer,
Pudukottai.

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.48611

+1CC TO M/S.K.MAHALAKSHMI, ADVOCATE, SR NO.48341

W.P. (MD) .No.1345 of 2018
13.02.2018

tsg

MS/KK/SAR-2/14.03.2018/2P.5C