



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.06.2018
CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.12518 of 2018

K.Manivel

... Petitioner

Vs.

1. The Joint Director of School Education,
Secondary Grade Education,
Directorate of School Education,
College Road, Chennai - 600 006.
2. The Joint Director, Secondary Education,
DPI Complex, College Road,
Chennai - 600 006.
3. The District Education Officer,
Pollachi, Coimbatore District.
4. The District Elementary Education Officer,
Dindigul, Dindigul District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.2 to pass orders on the proposal in Na.Ka.No.927/Aa2/2016 dated 21.06.2017 for payment of salary to the petitioner for the period from 01.08.2003 to 05.01.2005 within the time stipulated by this Court.

For Petitioner : M/S.S.Louis

For Respondents : Mr.D.Muruganantham, A.G.P.

ORDER

The prayer sought for in this writ petition is for a writ of mandamus, directing the respondent No.2 to pass orders on the proposal in Na.Ka.No.927/Aa2/2016 dated 21.06.2017 for payment of salary to the petitioner for the period from 01.08.2003 to 05.01.2005 within the time stipulated by this Court.

2.Heard Mr.S.Louis, learned counsel for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned counsel appearing for the petitioner would



submit that the petitioner was initially working in an aided school at Pollachi Educational District viz., A.Nagoor Central Higher Secondary School for the period from 24.01.2001 to 05.01.2005. However, he was paid salary only from 24.01.2001 to 31.07.2003. For the remaining period, i.e. from 01.08.2003 till 05.01.2005, salary was not paid for the alleged reason that the said post, where the petitioner was working was an excess teacher in the said school. However, the fact remains that the petitioner had not been redeployed to any other schools. Therefore, in this regard, the petitioner had made a request to give salary for the remaining period. The said request of the petitioner having been considered by the District Educational Officer, Pollachi i.e., the third respondent herein and who in turn, by proceedings dated 21.06.2017 had sent the proposal to the second respondent seeking permission of the second respondent to release the salary. Even though the said proposal was sent in the month of June 2017 itself, the second respondent so far has not passed any order. Therefore, the learned counsel appearing for the petitioner would submit that, if a direction is given to the second respondent to pass orders on the proposal sent by the third respondent on 21.06.2017, within a time frame, the petitioner would be satisfied.

4.I have heard Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents, who would submit that the said proposal send by the third respondent dated 21.06.2017 would be considered by the second respondent and an order to that effect would be passed, within a time frame, on merits and in accordance with law.

5.In view of the said submissions made by both sides and taking into account the circumstances of the case, this writ petition is disposed of with the following direction:

"The second respondent is directed to consider the proposal submitted by the third respondent in Na.Ka.No.927/Aa2/2016 dated 21.06.2017 and pass orders thereon, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order."

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/



To

1. The Joint Director of School Education,
Secondary Grade Education,
Directorate of School Education,
College Road, Chennai - 600 006.
2. The Joint Director, Secondary Education,
DPI Complex, College Road,
Chennai - 600 006.
3. The District Education Officer,
Pollachi, Coimbatore District.
4. The District Elementary Education Officer,
Dindigul, Dindigul District.

+1cc to M/S.S.Louis, Advocate Sr.No.68121

+1cc to SPECIAL GOVERNMENT PLEADER, Sr.No.68205

Arul

MK/SB/SAR 4/27.06.2018/3P/7C

W.P(MD)No.12518 of 2018
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