



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2018

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.14029 of 2018

S.Rajagopal

... Petitioner

-vs-

1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai - 600 009.

2.The Director of School Education,
Directorate of School Education,
No.17, College Road,
Chennai - 600 006.

3.The Chief Educational Officer,
The Chief Educational Office,
Virudhunagar,
Virudhunagar District.

4.The Chief Educational Officer,
The Chief Educational Office,
Collectorate Building,
Tirunelveli, Tirunelveli District.

5.The District Educational Officer,
District Educational Office,
Virudhunagar, Virudhunagar District.

6.M.Vijayan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a WRIT OF MANDAMUS directing the Respondent No.3 to provide the Petitioner's Service Register for the service rendered from 14.08.2015 F.N. to 31.05.2017 A.N and to provide the expenses amount of Rs. 27,000/- (Twenty Seven Thousand only) which was spent by the petitioner, within the time stipulated by this court.

For Petitioner

: Mr.M.Mahaboob Fazil

For R.1 to R.5

: Mr.K.Saravanan,
Government Advocate

**ORDER**

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the third respondent to provide the petitioner's Service Register for the service rendered from 14.08.2015 F.N. to 31.05.2017 A.N and to provide the expenses amount of Rs. 27,000/- (Twenty Seven Thousand only) which was spent by the petitioner.

2. Heard Mr.M.Mahaboob Fazil, learned Counsel appearing for the petitioner as well as Mr.K.Saravanan, learned Government Advocate, who takes notice for respondents 1 to 5.

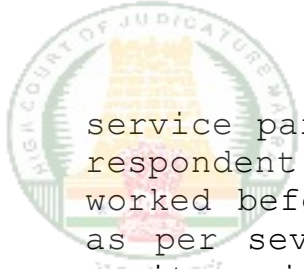
3. The learned Counsel appearing for the petitioner would submit that, the grievance of the petitioner is that, he is presently working as Headmaster of Government Higher Secondary School, Veerasigamani, Tirunelveli District. To this post, the petitioner had been transferred and posted on 01.06.2017 and from that date, the petitioner has been working in the School. However, from the previous School under the third respondent's jurisdiction, from where the petitioner has been transferred to this School on 01.06.2017, the service particulars / service register of the petitioner has not been forwarded, with the result the petitioner is not able to get service benefits, such as, pay revision as per seventh pay commission, surrender leave salary and other benefits.

4. The learned Counsel would further submit that, in spite of repeated requests made in this regard, the third respondent has not forwarded the same to the fourth respondent. Therefore, the petitioner, through the fourth respondent, had given a request to the third respondent on 22.02.2018. Therefore, if the said representation is directed to be considered and an order to that effect is directed to be passed, on merits and by forwarding the service particulars of the petitioner to the fourth respondent, within a stipulated time limit, the petitioner would be satisfied.

5. Mr.K.Saravanan, learned Government Advocate appearing for the respondents 1 to 5, in this regard, would submit that the said request of the petitioner, dated 22.02.2018, would be considered by the third respondent and an order to that effect would be passed, immediately.

6. Considering the limited scope of the writ petition as well as taking note of the submissions made by both sides, this writ petition is disposed of, with the consent of both sides at the admission stage itself, with the following direction:-

"that the third respondent is directed to pass orders on the application of the petitioner, dated 22.02.2018, with regard to his grievance of non-forwarding the service register /



service particulars of the petitioner from the office of the third respondent under whose jurisdiction originally the petitioner worked before he came to the present station, for revision of pay as per seventh pay commission and other consequential relief, on merits, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that if the service particulars / service record of the petitioner can be forwarded to the fourth respondent without any impediment, the third respondent shall forward the same within the said time frame to the fourth respondent and on receipt of the same, necessary follow up action shall be taken by the fourth respondent as expeditiously as possible. There shall be no order as to costs."

Sd/-

Assistant Registrar (PA)

// True Copy //

Sub Assistant Registrar(CS-I)

To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Department of School Education,
Fort St.George,Chennai - 600 009.
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- 5.The District Educational Officer,
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+1cc to Mr.T.Lajapathi Roy, Advocate, Sr.No.70752.
+1cc to Special Government Pleader Sr.No.70826.

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