



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.18486 of 2018

S.Ramajeyam

.. Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Director of School Education,
Directorate of School Education,
D.P.I Compound,
College Road,
Chennai-600 006.
- 3.The Chief Education Officer,
Chief Education Office,
Tallakulam,
Madurai-625 002.
- 4.The District Education Officer,
District Education Office,
Melur,
Madurai District.
- 5.The Head Master,
Government Higher Secondary School,
Senthurai,
Dindigul District.
- 6.The Head Master,
Government Girls Higher Secondary School,
Y.Othakadai,
Madurai-625 007.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus directing the respondents to pay the monthly vehicle allowance Rs.1000/- for physically challenged persons which was paid up to the month of October 2016 as per G.O.(Ms)No.391 Finance (Salaries) Department dated 07/10/2010 by considering petitioner's representations dated 17/02/2017 and 18/12/2017 within the period that may be stipulated by this Court.

For Petitioner

: Mr.Dr.C.Guhaseelarupan

For Respondent

: Mrs.S.Srimathy

Special Government Pleader



O R D E R

The petitioner has come forward with this writ petition, for issuance of a Writ of mandamus directing the respondents to pay the monthly vehicle allowance Rs.1000/- for physically challenged persons which was paid up to the month of October 2016 as per G.O. (Ms)No.391 Finance (Salaries) Department dated 07/10/2010, by considering petitioner's representations dated 17/02/2017 and 18/12/2017.

2.When the matter is taken up for hearing, it is represented that the fifth respondent has earlier paid the said sum and he is not the competent authority and the competent authority is the second respondent. It is further stated that the petitioner is entitled to allowance only from the 2nd respondent and the 5th respondent is the disbursing Authority.

3.The petitioner has also produced a copy of the Service Register Book of the petitioner. That apart, the amount already paid erroneously by the fifth respondent has sought to be recovered by a proceedings dated 18.10.2016.

4.In view of the fact that the second respondent is said to be the competent authority, the petitioner is entitled to Rs.1,000/-, per month for physically challenged person and the second respondent is directed to pay the amount from October 2016 onwards. Since the fifth respondent has paid the amount without any approval for sanction, the Sanctioning Authority/second respondent shall take steps for ratification.

5.Accordingly, this writ petition is disposed of. No costs.
Sd/

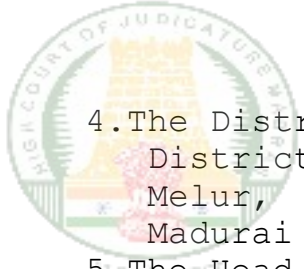
Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar(CS-II)

To

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+2cc to Dr.C.Guhaseelarupan, Advocate, SR.No.80290
+1cc to M/s.Special Government Pleader,SR.No. 80639

W.P. (MD) No.18486 of 2018
27/08/2018

vs
KK/RP/SAR-2/03.10.2018/3P-10C