



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2018

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THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAMW.P. (MD) .No.1435 of 2013andM.P. (MD) Nos.2 and 3 of 2013 and 1 of 2015

T.Selvaraj

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by its Secretary,
Department of School Education,
Fort St. George, Chennai-625 009.

2.The Director of School Education,
College Road, Chennai-600 006.

3.The Joint Director of School Education,
(Personnel), College Road,
Chennai-600 006.

4.The Chief Educational Officer,
Nagercoil, Kanayakumari District.

5.The Headmaster,
S.L.B. Government Hr.Sec.School,
Nagercoil, Kanyakumari District.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned show cause notice issued by the 4th respondent Chief Educational Officer in Na.Ka.No.2773/ Aa6 / 2010 dated 31.12.2012 under section 17(b) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules, quash the same and further direct the respondents herein to disburse forthwith the salary and other benefits which the petitioner is legally entitled to for the period of 1 year 7 months and 4 dyas i.e., from 19.03.2010 to 23.10.2011.

For Petitioner : Mr.S.Xavier Rajini

For Respondents : Mr.R.Sethuraman
Special Government Pleader for R1 to R4

**ORDER**

The learned counsel for the petitioner states that the present writ petition has been filed to challenge the show cause notice issued by the fourth respondent in Proceedings dated 31.12.2012.

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2. However, during the pendency of the writ petition, the writ petitioner was allowed to retire from service and the terminal and the retirement benefits are also settled to the petitioner. However, the arrears of salary for a period from 19.03.2010 to 23.10.2011 alone is to be settled.

3. In this regard, the writ petitioner is permitted to submit a fresh representation to the respondents and in the event of receiving any such representation the respondents are at liberty to consider the same on merits and in accordance with law.

4. With this view of the matter, this Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, M.P. (MD) Nos. 2 and 3 of 2013 and 1 of 2015 are closed.

Sd/-
Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1. The Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai-625 009.

2. The Director of School Education,
College Road, Chennai-600 006.

3. The Joint Director of School Education,
(Personnel), College Road,
Chennai-600 006.

4. The Chief Educational Officer,
Nagercoil, Kanayakumari District.

+1CC TO M/S. XAVIER RAJINI, ADVOCATE, SR NO. 51749
+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO. 52021

W.P. (MD) .No. 1435 of 2013
27.02.2018

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MS/SKN-RSK/SAR-2/20.03.2018/2P.7C