

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32896 of 2019

1.M.ANBARASU

... Petitioner

Vs

1.The Director of School Education,
Chennai 600 006.

2.The District Educational Officer,
Polur, Tiruvannamalai District.

3.The Block Educational Officer
Polur, Tiruvannamalai District.

4.The Headmaster
Panchayat Union Middle School,
Mukkurumbai, Polur Union ,
Tiruvannamalai District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF MANDAMUS, Directing the 3rd respondent consider the petitioner representation dated 05/12/2017 submitted with request to disburse the pay and allowances due and payable to petitioner for the period from 01/04/2014 to 31/07/2014 in the light of proceedings of the 2nd respondent in O.Mu.No.6143/Aa1/2017 dated 22/12/2017 within a limited time frame.

For Petitioner : Mr.P.Murali

For Respondents : Mr.P.Raja, Government Advocate

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O R D E R

1.The present writ petition has been filed by the petitioner praying for the issuance of Writ of Mandamus, to direct the 3rd respondent consider the petitioner representation dated 05/12/2017 submitted with request to disburse the pay and allowances due and payable to petitioner for the period from

01/04/2014 to 31/07/2014 in the light of proceedings of the 2nd respondent in O.Mu.No.6143/Aa1/2017 dated 22/12/2017 within a limited time frame.

2. Heard both sides.

3. According to the petitioner, the petitioner was appointed as Secondary Grade Teacher in Panchayat Union Elementary School, Kelur, Polur Union Tiruvannamalai District and thereafter she was promoted as Graduate Teacher. By proceedings dated 26.03.2014, all of a sudden, the second respondent reverted the petitioner as Secondary Grade Teacher and posted to Panchayat Union Elementary School, Kalambur, Naduvam Polur Union on administrative reasons and he was relieved on 02.04.2014, thereafter pursuant to the interim order he was reposted as Graduate Teacher in the Panchayat Union Middle School, Mukkurmbai vide proceedings dated 16.07.2014 and he joined duty on 17.07.2014. The grievance of the petitioner is that he has not been paid pay and allowances due and payable to him 01.04.2014 to 31.07.2014. In this regard, he made a representation on 05.12.2017 to the third respondent and also he made the same representation to the second respondent and vide proceedings dated 22.12.2017 the second respondent issued a direction to the third respondent to consider the claim of the petitioner and disburse the dues payable to him. However till date the grievance of the petitioner has not been redressed. Hence this Writ petition.

4. The learned counsel for the petitioner would submit that the petitioner is entitled to pay and allowances from 01.04.2014 to 31.07.2014 and though the second respondent directed the third respondent to consider the claim of the petitioner, the third respondent has not considered the same so far. Hence, the learned counsel would pray that it would suffice if this Court directs the third respondent to consider and dispose of the representation dated 05.12.2017, made by the petitioner in accordance with law.

5. The learned Government Advocate appearing for the respondents would submit that if any such direction is given by this Court, the same would be complied with and the representation of the petitioner dated 05.12.2017, would be disposed of in accordance with law.

6. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue a direction to the third respondent to consider the representation dated 05.12.2017 made by the petitioner and dispose of the same in accordance with law,

within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observation, this Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

jrs

To

1. The Director of School Education,
Chennai 600 006.

2. The District Educational Officer,
Polur, Tiruvannamalai District.

3. The Block Educational Officer
Polur, Tiruvannamalai District.

4. The Headmaster
Panchayat Union Middle School,
Mukkurumbai, Polur Union,
Tiruvannamalai District.

+1cc to Mr. P. Murali, Advocate SR.97869

+1cc to the Government Pleader SR.98920

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RSI (CO)
CB(02/01/2020)

सत्यमेव जयते

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