



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.5584 of 2019

B.Seenivasuki

... Petitioner

Vs.

1.The District Educational Officer,
Kovilpatti, Thoothukudi District.

2.The Assistant Elementary Educational Officer,
Kovilpatti, Thoothukudi District.

3.The Headmaster,
Kovilpatti Municipal Primary School,
Stalin Colony, Kovilpatti,
Thoothukudi District.

4.The Commissioner,
Kovilpatti Municipality,
Kovilpatti, Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, to direct the second respondent to pay arrears of salary to the petitioner from 13.03.2009 to 02.07.2013 which he is eligible for as a part time employee.

For Petitioner : Mr.C.Selvakumar

For R1 to R3 : Mrs.S.Srimathy
Special Government Pleader

For R4 : Mr.P.Srinivas

ORDER

Seeking a direction to the second respondent for payment of arrears of salary for the period from 13.03.2009 to 02.07.2013, this writ petition has been filed.

to 3 and the learned counsel appearing for the fourth respondent.

3. According to the petitioner, she was appointed as a Watch Woman in Government High School, Parivillikottai Village, Kayathar Taluk, Thoothukudi District vide proceedings in Na.Ka.No.6700/A1/2010, dated 02.07.2013 by the first respondent under Rule 10(a)(1) of the Tamil Nadu State General Service Rules on temporary basis.

4. It is the further case of the petitioner that earlier, the petitioner was working as a Part time Sweeper in the third respondent school from 05.04.1991. The third respondent used to credit the petitioner's salary in the bank account in lump-sum for the cumulative month or year. The grievance of the petitioner is that salary for the period from 13.03.2009 to till the date of her appointment as a Watch Woman i.e., on 02.07.2013 was not paid, even after repeated request made by her. On 20.11.2018, the petitioner sent representations to the respondents. The first respondent received the same and forwarded it to the second respondent on 14.12.2018. However, till date, there is no action on the part of the second respondent, which has necessitated the filing of this writ petition.

5. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the representation of the petitioner would be considered on merits and appropriate orders be passed by the second respondent.

6. In view of the above submission, this Court without going into the merits of this case, directs the second respondent to consider the petitioner's representation dated 20.11.2018 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

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

Sd/-

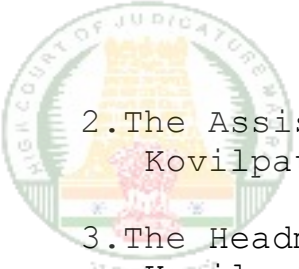
Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Educational Officer,
Kovilpatti, Thoothukudi District.



2.The Assistant Elementary Educational Officer,
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3.The Headmaster,
Kovilpatti Municipal Primary School,
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Thoothukudi District.

+1 CC to M/s.P.SRINIVAS, Advocate (SR-60711[F] dated 12/04/2019)

+1 CC to M/s.C.SELVA KUMAR, Advocate (SR-60805[F] dated
12/04/2019)

+1 CC to M/s.SPL GP (SR-60972[F] dated 15/04/2019)

pnn

**W.P(MD)No.5584 of 2019
12.04.2019**

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