



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.6591 of 2019
and W.M.P(MD)No.5279 of 2019

K.S.Wilfred Samraj

... Petitioner

Vs.

1.The Joint Director (Higher Secondary),
O/o.The Joint Director of Higher Secondary School,
College Road, Chennai - 6.

2.The Chief Educational Officer,
O/o.The Chief Educational Office,
Nagercoil,
Kanyakumari District.

3.The District Educational Officer,
O/o.The District Educational Office,
Thiruvattar, Marthandam,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the third respondent to disburse the Head Master's salary to the petitioner with effect from 01.11.2014 taking into consideration of the fact that the petitioner has been working as HeadMaster (In-charge) from 01.11.2014 along with the arrears of salary within the period stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mrs.S.Srimathy,
Special Government Pleader.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the third respondent to disburse the salary to the petitioner with effect from 01.11.2014 taking into consideration of the fact that he has been working as a HeadMaster (In-charge) from 01.11.2014, along with the arrears of salary within the period stipulated by this Court.

<https://hcservices.ecourts.gov.in/hcservices/>
2. Heard Mr. H.Mohammed Imran, learned counsel appearing for the petitioner and Mrs.Srimathy, learned Special Government Pleader appearing for the respondents.



3.The grievance of the petitioner is that he was initially appointed as P.G Assistant (Maths) on 17.12.1990 and by the proceedings of the first respondent, dated 01.11.2014, he was promoted as a HeadMaster (In-charge). Even though he has been working as a HeadMaster (In-charge) of the Higher Secondary School, he was paid salary only for the post of P.G Assistant. Hence, the petitioner sent a representation to the respondents on 07.09.2017 to sanction and disburse the salary of the Head Master and it was duly forwarded to the third respondent by proceedings, dated 07.09.2017. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

4.The learned counsel appearing for the respondents submitted that the representation of the petitioner would be considered by the third respondent on merits.

5.In view of the above, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 07.09.2017 seeking disbursement of salary, if he is otherwise found eligible and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

ps

To

1.The Joint Director (Higher Secondary),
O/o.The Joint Director of Higher Secondary School,
College Road, Chennai - 6.

2.The Chief Educational Officer,
O/o.The Chief Educational Office,
Nagercoil,
Kanyakumari District.



3.The District Educational Officer,
O/o.The District Educational Office,
Thiruvattar,
Marthandam,
Kanyakumari District.

+1CC TO MR.AJMAL ASSO., Advocate Sr. No.60348
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.60616

W.P(MD)No.6591 of 2019
10.04.2019

DB(CO)
TR (02.05.2019) 3P 6C