



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.7730 of 2019

M.Devahi

... Petitioner

Vs.

1. The Director,
Director of College Education,
Chennai - 600 006.

2. The Joint Director,
Regional Joint Director of College Education,
Tirunelveli Region,
Tirunelveli - 627 001.

3. The Secretary,
Vivekananda College,
Agasteeswaram,
Kanyakumari District.

4. The Principal,
Vivekananda College,
Agasteeswaram,
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 respondents to settle the petitioner's salary during the period worked steno typist as per order No.A1/1473/07, dated 21.09.2007 with pay of scale as Rs.4000-100-6000 passed by the third respondent for the period of 21.09.2007 to 27.04.2010 by considering the petitioner's representation dated 12.11.2015

For Petitioner : Mr.J.David Ganesan
For RR 1 & 2 : Mr.V.Anand,
Government Advocate.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to settle the petitioner's salary, who worked as steno-typist, as per order No.A1/1473/07, dated 21.09.2007 with pay of scale as Rs.4000-100-6000 passed by the third respondent for the period from 21.09.2007 to 27.04.2010 by considering her representation, dated 12.11.2015.

2. Heard the learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate, who takes notice for the respondents 1 and 2.



3.The case of the petitioner is that she is now working as Assistant in the Government ITI, Kanyakumari. Earlier, on the basis of the appointment order issued by the third respondent College, the petitioner worked as a steno typist for the period from 21.09.2007 to 27.04.2010, for which, she has not received any salary from the third respondent. Hence, she made a representation, dated 12.11.2015 to the respondents by requesting them to release her salary as agreed by the third respondent College with all other benefits. Since no response is forthcoming, the petitioner sent a reminder representation to the respondents on 02.01.2016. On receiving the same, there is no fruitful action on the side of the respondents. Hence, the petitioner has filed the present Writ Petition.

4.The learned Government Advocate appearing for the respondents submitted that the representation of the petitioner would be considered on merits.

5.In such view of the matter, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner, dated 12.11.2015 followed by a reminder, dated 02.01.2016 with regard to settlement of salary for the above said period, 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.

sd/
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Director,
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Chennai - 600 006.
2. The Joint Director,
Regional Joint Director of College Education,
Tirunelveli Region,
Tirunelveli - 627 001.
3. The Secretary,
Vivekananda College,
Agasteeswaram,
Kanyakumari District.



4. The Principal,
Vivekananda College,
Agasteeswaram,
Kanyakumari District.

+1 CC to SPL GP (SR-58600[F] dated 03/04/2019)

+1 CC to Mr.J.DAVID GANESAN, Advocate (SR-58732 dated 03/04/2019)

W.P(MD)No.7730 of 2019
01.04.2019

ps

MK/DS (03.05.2019) 3P 7C