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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.04.2019

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD)Nos.9928 to 9934 of 2019

M.MUTHUSELVAM	... Petitioner in WP(MD). 9928/ 2019
K.UMAMAHESHWARI,	... Petitioner in WP(MD). 9929/ 2019
S.SEBASTIAN,	... Petitioner in WP(MD). 9930/ 2019
N.RAVICHANDRAN	... Petitioner in WP(MD). 9931/ 2019
P.VELMURUGAN,	... Petitioner in WP(MD). 9932/ 2019
G.KANAGALATHA,	... Petitioner in WP(MD). 9933/ 2019
S.R.SENTHILKUMAR	... Petitioner in WP(MD). 9934/ 2019

Vs.

1.THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD,CHENNAI - 06.

2.THE JOINT DIRECTOR OF SCHOOL EDUCATION,
(HIGHER EDUCATION),
COLLEGE ROAD, CHENNAI - 06.

3.THE CHIEF EDUCATIONAL OFFICER,
TALLAKULAM, MADURAI - 02.

4.THE DISTRICT EDUCATIONAL OFFICER,
TALLAKULAM, MADURAI - 02.

5.THE SECRETARY,
MLWA HIGHER SECONDARY SCHOOL,
(RUN BY JAIN EDUCATIONAL AND EMPOWERMENT TRUST)
MADURAI - 01. ... RESPONDENTS IN ALL WPs

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, direct the respondents to pay eight months salary to the petitioners for the period worked from 01.10.2011 to 31.05.2012 (October 2011 to May 2012) in fifth respondent School in the light of representation of petitioners, dated 29.03.2019.



For Petitioner

in all petitions : Mr.K.Balasubramanian

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For Respondents

in all petitions : Mrs.S.Srimathy
Special Government Pleader
for R1 to R4

COMMON ORDER

All the writ petitions are filed seeking a direction to the respondents to pay eight months salary to the petitioners for the period worked from 01.10.2011 to 31.05.2012 (October 2011 to May 2012) in the fifth respondent School in the light of the representations of the petitioners, dated 29.03.2019.

2. Heard the learned Counsel appearing for the petitioners and the learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for disposal at the stage of admission itself.

3. The case of the petitioners is that they were appointed as P.G.Assistant (commerce), B.T.Assistant(Science), Secondary Grade Assistant, Physical Education Teacher, P.G.Assistant (Economics), P.G.Assistant (Tamil) and Drawing Master respectively in the fifth respondent school and they are still working. The grievance of the petitioners is that due to sudden fall in student strength, all the surplus teachers were directed to deploy in needy school. Despite the requests made by all the petitioners and the fifth respondent school, they were not deployed in any needy school and they were all along worked. Hence, the petitioners are claimed salary for the period worked from 01.10.2011 to 31.05.2012. Though the proposal was sent by the fourth respondent to the second respondent by proceedings dated 19.06.2012 in this regard the petitioners' claims were not considered. Hence, they made representations to the respondents dated 29.03.2019 in this regard. However, the same have not been considered so far. Therefore, the petitioners have approached this Court by filing these writ petitions.

4. The learned Special Government Pleader appearing for the respondents submitted that the representations of the petitioners would be considered by the respondents on merits, within a time frame as fixed by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned Counsel on either side, without going into the merits of the case, the



respondent is directed to consider the representations of the petitioners dated 29.03.2019 seeking salary and pass appropriate orders on merits and in accordance with law and also in the light of the recommendation of the fourth respondent, dated 19.06.2012, after affording an opportunity of hearing to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order.

6. All the Writ Petitions stand disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Director of School Education,
College Road,
Chennai - 06.

2.The Joint Director of School Education,
(Higher Education),
College Road,
Chennai - 06.

3.The Chief Educational Officer,
Tallakulam,
Madurai - 02.

4.The District Educational Offider,
Tallakulam,
Madurai - 02.

7CC'S TO MR.K. BALA SUBRAMANIAN, ADVOCATE SR 62522 TO 62528
1CC TO THE SPL GOVT PLEADER SR 62951

TR
20/05/2019
3P 13C

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25.04.2019