



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 5611 2015

and

M.P. (MD) Nos. 1 and 2 of 2015

Thiruvalluvar Kurukula Primary School,
Rep by its Secretary,
Mr. M. Arunkumar,
Devarayaneri, Thirunedunkulam,
Thiruverumpur (TK),
Trichy District.
(cause title amended vide order
dated 26.04.2019 in W.M.P. (MD) No. 8277 of 2017)

... Petitioner

Vs.

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

2. The District Elementary Educational Officer,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned order passed by the second respondent in which direct payment was ordered by his proceedings in Na.Ka.No.4597/m4/2014, dated 06.01.2015, quash the same and consequently, direct the second respondent to release the teaching staff grant for the month of April, 2015 and succeeding months for disbursement of salary through the School Management Secretary/Correspondence within the period that may be stipulated by this Court.

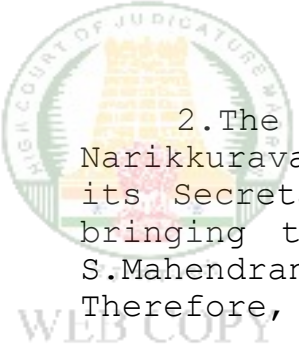
For Petitioner

: Mr. V. Palanichamy

For Respondents

: Mrs. S. Srimathy
Special Government Pleader

ORDER



2.The writ petitioner is a School for the welfare of the Narikkuravar Community. Since there were certain issues concerning its Secretary S.Mahendren, the impugned order came to be passed bringing the school under the Direct Payment System. The said S.Mahendran is no more. His son has become the school Secretary. Therefore, the allegation earlier made may not be really survive.

3.In this view of the matter, the order impugned in this writ petition is set aside. M.Arun Kumar the current Secretary is at liberty to file a fresh application before the second respondent who shall pass orders on merits taking note of the subsequent developments. Such an order shall be passed within a period of six weeks from the date of receipt of a copy of this order. The matter is remanded to the file of the second respondent.

4.The writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The District Elementary Educational Officer,
Trichy District.

+1cc to Mr.V.PALANICHAMY, Advocate, SR.No. 63195

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RMI

KK/SAR/17.05.2019/ 2P- 4C