



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.08.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.17424 of 2019

WEB COPY

Shanmuganathan

... Petitioner

Vs.

1.The Director of School Education,
DPI Campus,
College Road,
Nungambakkam,
Chennai - 600 006.

2.The Chief Educational Officer,
Trichy.

3.Ordnance Factory Board,
represented by its Secretary,
Ayudh Bhawan,
10-A, S.K.Bose Road,
Kolkata - 700 001.

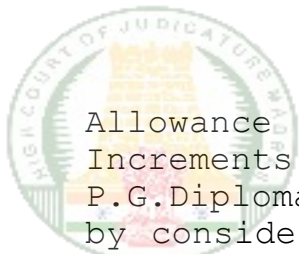
4.Heavy Alloy Penetrator Project,
represented by its General Manager,
HAPP Township,
Trichy - 620 025.

5.HAPF Paramahansa Matriculation School,
represented by its Principal,
Heavy Alloy Penetrator Project,
HAPP Township,
Trichy - 620 025.

6.Sri Ramakrishna Thabovanam,
represented by its Presedent,
Thirupparaithurai,
Trichy District - 639 115.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 3 to 6 to disburse (i) Earn Leave and Unearn Leave surrender, (ii) VI Pay Commission salary arrears from 01.01.2007 to 13.11.2009, (iii) Special Grade Pay on completion of 20 years of service ie., 07.06.2010, (iv) salary in lieu of 3 months termination notice, (v) 3% enhancement of Dearness



Allowance from January 2017 to March 2017 and (vi) Incentive Increments for acquiring higher qualification namely M.Phil., and P.G.Diploma in Yoga from the date of qualification to the petitioner by considering his representation dated 01.07.2019, within the time stipulated by this Court.

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For Petitioner : Mr.R.Subramanian

For R1 & R2 : Mrs.S.Srimathy
Special Government Pleader

For R3 to R5 : Mr.M.Karunanithi
SCGSC

ORDER

This Writ Petition has been filed to direct the respondents 3 to 6 to disburse (i) Earn Leave and Unearn Leave surrender, (ii) VI Pay Commission salary arrears from 01.01.2007 to 13.11.2009, (iii) Special Grade Pay on completion of 20 years of service ie., 07.06.2010, (iv) salary in lieu of 3 months termination notice, (v) 3% enhancement of Dearness Allowance from January 2017 to March 2017 and (vi) Incentive Increments P.G.Diploma in Yoga from the date of qualification to the petitioner by considering his representation dated 01.07.2019.

2.Mr.S.Srimathy, learned Special Government Pleader takes notice for the respondents 1 and 2 and Mr.M.Karunanithi, learned SCGSC takes notice for the respondents 3 to 5. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner would submit that with reference to the prayer sought for in this writ petition, the petitioner sent a representation to the respondents on 01.07.2019. But, no action has been taken till date. Hence, the petitioner is before this Court for the relief stated supra.

4.In reply, the learned SCGSC appearing for the respondents 3 to 5 would submit that the petitioner's representation dated 01.07.2019, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In agreement with the submission made by the learned SCGSC, without expressing any opinion on the merits of the case, this Court directs the fourth respondent to consider the petitioner's representation dated 01.07.2019, and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to enclose a copy of this order along with such representation.



6.With the above direction, this Writ Petition is disposed of.
No costs.

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// True Copy //

Sd/-

Assistant Registrar (P AND A)

Sub Assistant Registrar(CS)

mm

To

1.The Director of School Education,
DPI Campus,
College Road,
Nungambakkam,
Chennai - 600 006.

2.The Chief Educational Officer,
Trichy.

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-80584[F] dated
08/08/2019)

+1 CC to M/s.SPL GP (SR-80564[F] dated 08/08/2019)

W.P. (MD) No.17424 of 2019
07.08.2019

KK/SAR/27.08.2019/3P-5C/