



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD)No.19435 of 2019

N.Jeyanthi

... Petitioner

Vs.

1.The Govt. of Tamil Nadu,
rep. by its Secretary,
Department of School Education,
Fort St. George, Chennai.

2.The Director of School Education,
DPI Campus, College Road, Chennai.

3.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Karur, Karur District.

4.District Educational officer,
The Office of the District Educational Officer,
Karur,
Karur District.

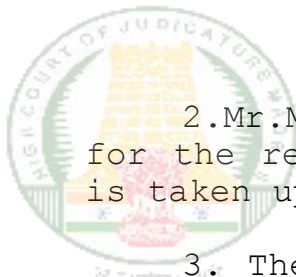
... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.3 to implement the G.O.(Ms)No.153, dated 05.12.2017 by sanction the pending additional in-charge allowances for the petitioner who served as head master in-charge from 10.08.2016 to 03.08.2018 by dispose of the representation, dated 03.10.2018 within a time as stipulated fixed by this Court.

For Petitioner : Mr.J.Sivaram,
For Respondents : Mr.M.Karuppasamy,
Government Advocate

ORDER

This writ petition is filed seeking for a mandamus directing the respondent No.3 to implement G.O.(Ms)No.153, dated 05.12.2017 sanctioning the pending additional in-charge allowances for the petitioner, who served as Headmistress in-charge from 10.08.2016 to 03.08.2018 by disposing the representation of the petitioner, dated 03.10.2018.



2.Mr.M.Karuppasamy, learned Government Advocate takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The grievance of the petitioner is that she was functioning as Headmistress in-charge of Nachalur Government High School. As per Rule 49 of the Fundamental Rules, the Government may appoint a Government servant whether permanent or officiating to hold full additional charge or to discharge current duties as one or more independent posts at one time, as a temporary measure, grant additional pay subject to certain limits and therefore, she is entitled to additional in-charge allowances. The third respondent has not sanctioned the allowance of full additional charge for a period from 10.08.2016 to 03.08.2018. Hence, the petitioner gave representation, dated 03.10.2018, to the third respondent. The third respondent has not passed any orders. Hence, the petitioner has come out with the present writ petition.

4. Though a larger relief has been prayed in this writ petition, when the writ petition is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner would be satisfied, if a direction is issued to the respondents to consider the representation, dated 03.10.2018, submitted by the writ petitioner.

5.Considering the submission of the learned counsel for the petitioner, this writ petition is disposed of, directing the third respondent to consider the representation of the petitioner, dated 03.10.2018 and pass orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

Am

To

1.The Secretary, Government of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai.



2.The Director of School Education,
DPI Campus, College Road,
Chennai.

3.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Karur,
Karur District.

4.District Educational officer,
The Office of the District Educational Officer,
Karur,
Karur District.

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W.P. (MD) No.19435 of 2019
09.09.2019

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