



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

WEB COPY

W.P. (MD) No.19891 of 2019

and

W.M.P. (MD) No.16395 of 2019

Hairathul Jamaliala Higher Secondary School,
Represented by its Correspondent, Sathik Ali,
Paramakudi, Ramanathapuram District. ... Petitioner

-Vs-

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Department of School Education,
Fort St. George, Chennai-600 009.

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

3.The Chief Educational Officer,
Chief Educational Office,
Ramnad, Ramnad District.

4.The District Educational Officer,
District Educational Office,
Paramakudi, Ramnad District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pass orders on the representation dated 07.06.2019 and to direct the respondents to pay the salary for the period from the date of appointment to 01.06.2003 to the following teachers appointed by the petitioner

a.K.A.Hidayuthullah	Date of appointment 25.02.1998
b.K.Zulfika	Date of appointment 25.02.1998
c.A.Akilanash	Date of appointment 25.02.1998
d.K.R.Sivakumar	Date of appointment 01.03.1998
e.G.Syed	Date of appointment 09.03.1998
f.A.Nazeema Begum	Date of appointment 26.02.1998

and to pay the other benefits, namely, selection grade etc.

For Petitioner : Mr.M.MD.Ibrahim Ali

For Respondents : Mr.M.Karuppasamy,
Government Advocate.



ORDER

Heard Mr.M.MD.Ibrahim Ali, learned counsel appearing on behalf of the petitioner and Mr.M.Karuppasamy, learned Government Advocate, who takes notice on behalf of the respondents.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.This Writ Petition is filed for a direction to direct the respondents to pass orders on the representation, dated 07.06.2019 and to direct the respondents to pay the salary for the period from the date of appointment to 01.06.2003 to six teachers, who were appointed by the petitioner school on various dates.

4.The petitioner is a recognized and aided Minority Educational Institution. According to the petitioner, they have appointed six teachers in the year 1998 on various dates, prior to 19.05.1998. The said teachers were undergone the training for Child Psychology, as per G.O.Ms.No.155, School Education (D2) Department, dated 03.10.2002, with effect from 02.05.2003 to 30.05.2003. Their appointments were approved with effect from 02.06.2003. According to the petitioner, the petitioner is entitled for salary from the date of appointment of those six teachers. As per the order dated 22.01.2013, made in W.P.Nos.19821 of 2003 etc., batch, the petitioner is entitled to get salary for those six teachers from 1998 to 2003. The petitioner gave a representation to the respondents, dated 07.06.2019. However, the same was not considered, so far. Hence, the petitioner has come forward with the present Writ Petition.

5.The Writ Petition filed in the year 2019, claiming salary for the six teachers from the year 1998 to 2003, contending that as per the order of this Court, dated 22.01.2013, passed in W.P.Nos.19821 of 2003 etc., batch, he is entitled to claim salary for the six teachers. The petitioner was not diligent enough to claim salary for the teachers, who were appointed in the year 1998. Therefore, this Writ Petition is liable to be dismissed on the ground of delay and laches.

6.In the result, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar



To

1.The Secretary to Government,
State of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai-600 009.

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

3.The Chief Educational Officer,
Chief Educational Office,
Ramnad, Ramnad District.

4.The District Educational Officer,
District Educational Office,
Paramakudi, Ramnad District.

+1 CC to M/s.M.MOHAMED IBRAHIMALI, Advocate (SR-87118[F] dated
17/09/2019)

+1 CC to M/s.SPL GP (SR-87576[F] dated 18/09/2019)

W.P. (MD) No.19891 of 2019
17.09.2019

myr

JM/04.10.2019/3P/7C