



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.11415 of 2015

WEB COPY

P.Ruby Hena Devi

... Petitioner

-Vs-

1.The Director of Elementary Education,
College Road, Nungambakkam,
Chennai-6.

2.The District Elementary Educational Officer,
Tirunelveli, Tirunelveli District.

3.The Additional/Assistant Elementary Educational Officer,
Kadayam Range, Tirunelveli District.

4.The Correspondent,
Rosleyn Primary School,
A.P.Nadarur,
Kadayam Range,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.2 to 4 to provide the VI Pay Commission arrears salary and the medical leave salary to the petitioner within the time period stipulated by this Court.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondents

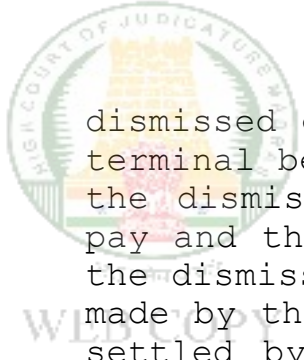
: Mrs.S.Srimathy
Special Government Pleader
(for R-1 to R-3)

Mr.H.Arumugam (for R-4)

ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents 2 to 4 to provide VI Pay Commission arrears salary and the medical leave salary to the writ petitioner.

2.The learned Special Government Pleader appearing on behalf of the respondents 1 to 3 as well as the learned counsel appearing on behalf of the fourth respondent made a submission that the writ petitioner was already dismissed from service. The



dismissed employees are not entitled to get the pension and other terminal benefits except the benefits, which all are applicable to the dismissed employees as per the rules. The revised scale of pay and the pay commission salary is absolutely not applicable to the dismissed employees. However, the other contribution, if any, made by the writ petitioner with reference to the rules, is to be settled by following the rules in force. Any amount due to be paid to the writ petitioner also shall be paid.

3. With these observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Director of Elementary Education,
College Road, Nungambakkam,
Chennai-6.
2. The District Elementary Educational Officer,
Tirunelveli, Tirunelveli District.
3. The Additional/Assistant Elementary Educational Officer,
Kadayam Range, Tirunelveli District.

+1 CC to Mr. T. LAJAPATHI ROY, Advocate SR-76529.
+1 CC to SPL GP SR-76574.
+1 CC to Mr. H. ARUMUGAM, Advocate SR-76677.

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