



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

WP (MD) .No.17808 of 2018

WEB COPY

P. Rajathi

: Petitioner

Vs.

1.The Director of Secondary School Education,
DPI Campus,
Chennai - 600 006.

2.The District Educational Officer,
Srivilliputur Education District,
Srivilliputur,
Virudhunagar District.

3.The Chief Educational Officer,
Virudhunagar District,
Collector Office Campus,
Virudhunagar.

4.Pu.Mu.Ma. Ammaiyappa Nadar Girls Higher Secondary School,
rep. by its Secretary,
Thalavaipuram,
Rajapalayam Taluk,
Virudhunagar District.

: Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents to extend all the service benefits to the petitioner towards her service in the 4th respondent School including payment of salary from 01.08.2016 to 31.10.2016, granting of special grade scale of pay with effect from 05.06.2015, permitting the petitioner to encash leave for the year 2015 and 2016 and provide annual increment due to the petitioner in April 2017 with retrospective effect and all other attendant, consequential and monetary benefits within a time period to be stipulated by this Court.

For Petitioner

: Mr.N. Dilipkumar

For R1 to R3

: Mrs. S. Srimathy

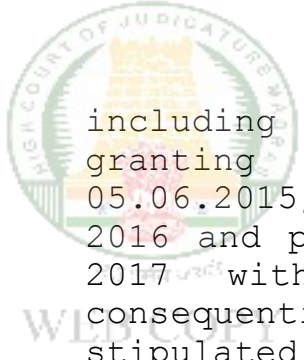
Special Government Pleader

For R4

: Mr. R. Panneerselvam

ORDER

This Writ Petition has been filed for issuing a direction to the respondents to extend all the service benefits to the petitioner towards her service in the 4th respondent School



including payment of salary from 01.08.2016 to 31.10.2016, granting of special grade scale of pay with effect from 05.06.2015, permitting her to encash leave for the year 2015 and 2016 and provide annual increment due to the petitioner in April 2017 with retrospective effect and all other attendant, consequential and monetary benefits, within a time period to be stipulated by this Court.

2. According to the petitioner, the benefits relating to payment of salary for the suspension period i.e., from 01.08.2016 to 31.10.2016, Special Grade scale of pay with effect from 05.06.2015, encashment of leave for the years 2015 and 2016 and annual increment due in April 2017, with retrospective effect and all other attendant, consequential and monetary benefits, were not granted to her.

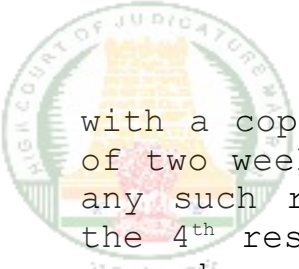
3. Today, when the matter is taken up for hearing, the learned Standing Counsel appearing for the 4th respondent / Management has placed a letter of the Secretary, Thalavaipuram Nadar's P.M.M. Ammaiappar Nadar Girls Higher Secondary School, Thalavaipuram, Virudhunagar District, dated 25.06.2019 addressed to the District Educational Officer, Srivilliputur, wherein, it has been stated that insofar as the Special Grade Scale of Pay from 05.06.2015 and the annual increment for the period from 01.04.2016 to 01.04.2018 are concerned, the District Educational Officer has granted sanction and the same will be disbursed within a period of two months. Insofar as the other reliefs as prayed for in the Writ Petition is concerned, according to the 4th respondent's counsel, the petitioner has not made any request to the 4th respondent / Management concerned. If any such representation is made by the petitioner to the 5th respondent / Management, the same shall be considered in accordance with law.

4. In view of the aforesaid submission made by the learned counsel for the 4th respondent, the petitioner counsel would submit that the petitioner has already submitted a representation dated 03.10.2017, for payment of salary and re-fixation of the suspension period and other benefits.

5. Recording the said submission made by the learned counsel on either side, this Court is inclined to dispose of the Writ Petition with the following directions :

i) The 4th respondent is directed to settle the sanctioned amount insofar as the special Grade Scale of Pay and the annual increment, within a period of four weeks from the date of receipt of a copy of this order.

<https://hcservices.ecourts.gov.in/hcservices/> Insofar as the other reliefs are concerned, the petitioner is directed to enclose a copy of the earlier representation, dated 03.10.2017 or fresh representation along



with a copy of this order, to the 4th respondent, within a period of two weeks from the date of receipt of a copy of this order. If any such representation is received within the aforesaid period, the 4th respondent / management is directed to take a decision in accordance with law, within a period of four weeks, thereafter.

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6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Director of Secondary School Education,
DPI Campus,
Chennai - 600 006.

2.The District Educational Officer,
Srivilliputur Education District,
Srivilliputur,
Virudhunagar District.

3.The Chief Educational Officer,
Virudhunagar District,
Collector Office Campus,
Virudhunagar.

4.Pu.Mu.Ma. Ammaiyappa Nadar Girls Higher Secondary School,
Thalavaipuram,
Rajapalayam Taluk,
Virudhunagar District.

+1 CC to Mr.N.DILIP KUMAR, Advocate SR-74587.

+1 CC to Mr.V.PANNEER SELVAM, Advocate SR-75111.

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CS(07.08.2019) 3P 7C