



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.24910 of 2019

M.Agnes

...Petitioner

-Vs-

1.The District Educational Officer
Usilampatti,Madurai District

2.The Block Educational Officer
Usilampatti Block
Usilampatti,Madurai District

3.The Chairman
Educational Board
Tamil Evangelical Lutheran Church
Tranquebar House,Trichy -1

4.The Correspondent
T.E.L.C Middle School
Keelapudur,Peraiyur Road
Usilampatti
Madurai District

...Respondents

PRAYER : Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 3 and 4 to send proper proposal to respondents 1 and 2 for payment of appropriate salary in the post of Headmistress, Middle School, Keelapudur, Usilampatt, Madurai District with effect from 31.08.2016.

For Petitioner: Mr.C.Ramesh

For R1 & R2 : Mr.M.Karuppasamy
Government Advocate

For R3 : Mr.P.Ulaganathan

ORDER

This Writ Petition has been filed for a direction to the respondents 3 and 4 to send proper proposal to respondents 1 and 2 for payment of appropriate salary in the post of Headmistress, Middle School, Keelapudur, Usilampatt, Madurai District with effect from 31.08.2016.

2.The petitioner was appointed as Headmistress in the fourth respondent School, which is a Private Aided Minority School. After disposal of the Writ petition in W.P(MD).No.16801 of 2016 filed by one Tmt.Grace Vetriselvi and the Writ petition filed by the petitioner in W.P(MD).No.16232 of 2017, the first respondent approved the appointment of the petitioner as Headmistress in the fourth respondent School with effect from 31.08.2016. But, the



salary for the period from 31.08.2016 as Headmistress is not released by the first respondent on the ground that the respondents 3 and 4 have not sent any proposal. In such circumstances, the petitioner has come up with the present Writ petition.

3. Heard Mr.C.Ramesh, learned counsel appearing for the petitioner, Mr.M.Karuppasamy, learned Government Advocate appearing for the respondents 1 and 2 and Mr.P.Ulaganathan, learned counsel appearing for the third respondent.

4. From the materials on record, it is seen that the petitioner's appointment was approved by the first respondent by proceedings dated 27.05.2019 with effect from 31.08.2016. As much as the petitioner's appointment approved by the first respondent, the petitioner is entitled to salary for the post of Headmistress in T.E.L.C.Middle School, Keelapudur. In view of the same, respondents 3 and 4 are directed to send the proposal to the respondents 1 and 2 for payment of salary to the post of Headmistress in T.E.L.C Middle School, Keelapudur w.e.f. 31.08.2016, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such proposal, the first respondent is directed to release the salary of the petitioner within a period of two weeks thereafter.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

Msa

To

1. The District Educational Officer
Usilampatti , Madurai District

2. The Block Educational Officer
Usilampatti Block , Usilampatti
Madurai District

+1 CC to M/s.C. RAMESH, Advocate (SR-101784[F] dated 27/11/2019)
+1 CC to M/s.ULAGANATHAN, Advocate (SR-102196[F] dated 28/11/2019)
+1 CC to M/s.SPL GP (SR-102401[F] dated 28/11/2019)
SMA/17/12/19/2P/6C

W.P. (MD) No.24910 of 2019

27.11.2019