



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.3347 of 2020

and

WMP.(MD).No.2804 of 2020

J. Sam Christa Doss

... Petitioner

Vs.

1. The Chief Educational Officer,
Madurai - 625 001,
Madurai District.

2. The District Education Officer,
Madurai - 625 001,
Madurai District.

3. The District Educational Officer,
Thirumangalam Educational District,
Thirumangalam - 625 706
Madurai District.

4. The Diocese of Madurai and Ramnad
Church of South India,
Represented by the Bishop and Manager of Schools,
Diocesan Office,
No. 162, East Veli Street,
Madurai District - 625 001.

5. The Correspondent,
Diocese of Madurai and Ramnad High School,
No.14 A, North Maasi Street,
Madurai District - 625 001.

6. The Correspondent,
C.S.I. High School,
Thirumangalam,
Madurai District - 625 706.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of **Writ of Mandamus**, directing the respondents 1 to 3 herein to sanction and release forthwith the salary and other attendant benefits to the petitioner including arrears of salary from the date of joining in the 6th respondent



school namely, CSI High School, Thirumangalam, Madurai District as Physical Education teacher by way of transfer on 17.10.2018.

For Petitioner : Mr. Mahaboob Athiff
for M/s. Ajmal Associate
For Respondents : Mr. S. Shanmugavel
Standing Counsel for State
for R1 to R3

Mr. Rasatheesh Kumar
for M/s. Isaac Chambers
for R4 to R6

O R D E R

The Writ Petition is filed for the issuance of a Writ of Mandamus directing the respondents 1 to 3 herein to sanction and release forthwith the salary and other attendant benefits to the petitioner including arrears of salary from the date of joining in the 6th respondent school namely, CSI High School, Thirumangalam, Madurai District as Physical Education teacher by way of transfer on 17.10.2018.

2. According to the writ petitioner, he joined on 17.10.2018 in the 6th respondent school and he was not paid salary from the date of joining. Therefore, he made a representation to the District Educational Officer on 30.07.2019 requesting him to take steps to sanction and release monthly salary. However, there was no response. Hence, he has filed the present Writ Petition before this Court.

3. According to the petitioner, he is entitled for the salary from the date he has joined in the 6th respondent school. Due to the pendency of the Writ Petition in W.P.No.21689 of 2018, the respondent has not sanctioned the salary to the petitioner. Now the aforesaid writ petition has been dismissed as withdrawn.

4. In view of the disposal of the the Writ Petition, there is no legal embargo to consider the request of the petitioner for payment of the salary from the date of joining in the 6th respondent school. Therefore in view of the aforesaid submissions of the parties, this court is inclined to direct the DEO, third respondent to consider the petitioner's proposal submitted by the 6th respondent dated 22.12.2018 and the representation of the petitioner dated 30.07.2019 and take appropriate decision as expeditiously as possible within a period of four weeks from the date of receipt of a copy of this order and if ultimately the said proposal is approved, the petitioner's request for payment of salary also to be considered and take appropriate decision at the earliest.



5. With the above direction, the writ petition is disposed of.
No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Chief Educational Officer,
Madurai - 625 001,
Madurai District.
2. The District Education Officer,
Madurai - 625 001,
Madurai District.
3. The District Educational Officer,
Thirumangalam Educational District,
Thirumangalam - 625 706
Madurai District.

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RD(5.10.2021) 3P 4C