



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD) No.6843 of 2021

and

W.M.P. (MD)No.5260 of 2021

T.Naveneethan

... Petitioner

Vs.

- 1.The District Educational Officer,
Thiruchendur Educational District,
Thoothukudi District.
- 2.The Block Educational Officer,
Sathankulam Block,
Thoothukudi District.
- 3.The Manager,
Thoothukudi-Nazarette Diocesan Trust
Association (TNDTA),
Caldwell Higher Secondary School Campus,
Thoothukudi.
- 4.The Correspondent,
TNDTA Middle Schools,
Nallur, Sathankulam,
Thoothukudi District.
- 5.The Joint Commissioner of Income Tax,
O/o. The Additional/Joint Commissioner of Income Tax,
19-A, West Great Cotton Road,
Thoothukudi - 628 001,
Thoothukudi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, directing the 1st respondent to pass an order directing the 4th Respondent to disburse the Petitioners Salary from the month of February, 2021 without seizure of any of the Petitioner's authorized allowances and payments, on the basis of his representation dated 17.03.2021, within the time frame stipulated by this Court.



For Petitioner : Mr.Raja Mohamed.B.N

For Respondents : Mr.N.Shanmugaselvam,
Additional Govt. Pleader for R1& R2.

ORDER

WEB COPY

This writ petition has been filed to direct 1st respondent to direct the 4th Respondent to disburse the Petitioners Salary from the month of February, 2021 without seizure of any allowance and payment, on the basis of petitioner's representation dated 17.03.2021.

2.The case of the petitioner is that the petitioner was working as Secondary Grade Teacher in the fourth respondent school, which is an aided institution. The petitioner's service was regularized on 09.03.2001. He is an assessee of the fifth respondent and the fifth responded allotted permanent account number in AGKPN1690C. The petitioner remitted income tax till the financial year 2020-2021. The fourth respondent insisted the petitioner for payment of income tax for the financial year 2021-22 by the end of February, 2021 orally. In compliance to the said oral instruction, the petitioner belatedly deposited a sum of Rs.43,567 through State Bank of India, Srivaigundam Branch on 12.03.2021 for the assessment year 2021-2022. Considering the belated payment, the fourth respondent blocked the petitioner's salary from the month of February 2021. Therefore, the petitioner sent a representation to the first and second respondents by registered post on 17.03.2021. Thereafter, the second respondent issued a direction to the fourth respondent vide order dated 19.03.2021 to process necessary papers pertaining to his pay and income tax for the assessment year 2021-2022 for disbursing the salary for the month of February, 2021. Since it was not acted upon by the fourth respondent, the present writ petition has been filed.

3.The learned counsel for the petitioner would submit that this Court may issue a direction to the fourth respondent to implement the order dated 19.03.2021 issued by the second respondent and consider the petitioner's representation.

4.Considering the limited prayed as sought for by the petitioner, without going into the merits of the petitioner's case, this Court directs the fourth respondent to consider the petitioner's representation dated 17.03.2021 on merits and in accordance with same and dispose of the same within a period of four weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

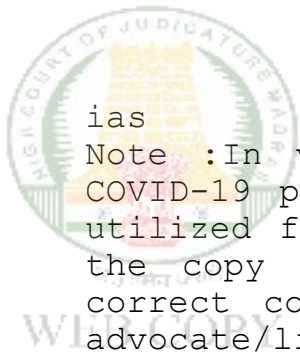
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



ias

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 District Educational Officer,
Thiruchendur Educational District,
Thoothukudi District.
- 2.The Block Educational Officer,
Sathankulam Block,
Thoothukudi District.
- 3.The Joint Commissioner of Income Tax,
O/o. The Additional/Joint Commissioner of Income Tax,
19-A, West Great Cotton Road,
Thoothukudi - 628 001,
Thoothukudi.

**W.P (MD) No. 6843 of 2021
25.03.2021**

RK (24.04.2021) 3P 4C