



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2021

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P.(MD)No. 9920 of 2018

WEB COPY

D. Seran,
Head Master,
Hindu Middle School,
Odaikkarai Thullukapatti,
Cheran Mahadevi Taluk,
Tirunelveli District.

... Petitioner

Vs.

1. The District Elementary Educational Officer,
O/o. District Elementary Education Office,
Near Ratina Theatre,
Tirunelveli District.

2. The Assistant Elementary Education Officer,
O/o. Assistant Elementary Education Office,
Pappakudi,
Tirunelveli District,
Tirunelveli.

3. The Secretary,
The Hindu Middle School,
Odaikkarai Thullukapatti,
Cheran Mahadevi Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the first respondent to provide salary to the petitioner through direct payment under Section 18 A Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 and consequently directing the first respondent to provide all arrears of salary to the petitioner within the time prescribed by this court.

For Petitioner	: Mr. T.Lajapathi Roy
For Respondents	: Mr. K.S. Selvaganesan Additional Government Pleader, for R1 and R2 Mr. E.V. N. Siva for R3

ORDER

Read this order in conjunction with my order dated 09.11.2021, extracted below:

"Petitioner prays for mandamus directing the



District Elementary Officer to pay salary to the petitioner. Mr. E.V.N. Siva, learned counsel appearing for R3, that is, the Hindu Middle School would confirm that though there was some delay in obtaining sanction initially and consequential delay in paying the salary, once approval has been obtained, salary is being paid regularly to the petitioner till date. Let a memo be filed to that effect

2. Post this matter on 12.11.2021.

3. Print the name of Mr. K.S. Selvaganesan, learned counsel, that is, R1 to R3."

2. Today, a memo is filed by learned counsel for R3, as follows:

"1. I am the counsel on record for the 3rd respondent herein in the above writ petition. As per the letter submitted by the 3rd respondent herein through Whatsapp, this memo is filed before this Hon'ble Court. As per the above letter, the 3rd respondent herein has instructed me that the monthly salary payable to the Writ Petitioner from 01.04.2017 to till date, had already been paid. The copy of the above letter enclosed is herewith.

2. Therefore, it is humbly prayed that this Hon'ble Court may be pleased to accept this memo and record the payment of salary to writ petitioner and close WP (MD) No. 9920 of 2018 and thus render justice."

3. In light of the aforesaid, the prayer of the petitioner for a mandamus directing R1 to provide salary to the petitioner in terms of Section 18(A) of the Tamil Nadu Recognised Private School (Regulation Act 1973) regularly as well as all arrears of salary, stands achieved. In the event the petitioner has any further claims against R3 institution, such claim may be made before the institution by way of representation. This writ petition is closed. No costs.

Sd/-

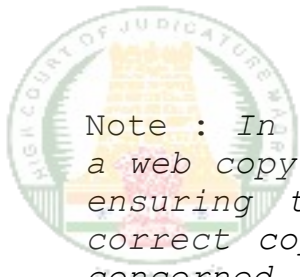
Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Mnr



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

WEB COPY

To

1. The District Elementary Educational Officer,
O/o. District Elementary Education Office,
Near Ratina Theatre,
Tirunelveli District.

2. The Assistant Elementary Education Officer,
O/o. Assistant Elementary Education Office,
Pappakudi,
Tirunelveli District,
Tirunelveli.

+1 CC to M/s.SPL GP (SR-34458[F] dated 15/11/2021)

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-34412[F] dated 15/11/2021)

W.P. (MD) No. 9920 of 2018

12.11.2021

_RD(29.11.2021) 3P 5C