



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.NO.4860 OF 2022

D.Ahalya

... Petitioner

.Vs.

1. The Director of Elementary Education,
DPI Campus, Chennai - 600 006.
2. The District Educational Officer,
Sathuvachari,
Vellore - 623 009.
3. The Block Educational Officer,
Katpadi, Vellore District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First to Third Respondents to consider and pass orders on the representation dated 08.10.2021 along with the clarification re-submitted vide representation dated 12.01.2022 seeking pay protection on par with her junior N.Chamundeeswari on merits and as per Rules within a time to be stipulated.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.Stalin Abhimanyu
Additional Government Pleader
(Edn)

O R D E R

Heard Mr.L.Chandrakumar, Learned Counsel for the Petitioner and Mr.Stalin Abhimanyu, Learned Additional Government Pleader (Education), who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.



2. The Writ Petition has been filed for directing the Respondents to consider and pass orders on the representation dated 08.10.2021 along with the clarification re-submitted by representation dated 12.01.2022 made by the Petitioner seeking pay protection on par with her junior N.Chamundeeswari on merits and as per Rules within a time to be stipulated by this Court.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, disposes the Writ Petition on the following terms:-

- (i) it shall be incumbent upon the Respondents to immediately examine the representation dated 08.10.2021 along with the clarification re-submitted by representation dated 12.01.2022 made by the Petitioner;
- (ii) if it is found that any details or supporting documents satisfying the eligibility criteria for the benefits claimed had not been produced, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 clear working days in that regard;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain her position in that regard and a reasoned orders shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment;
- (iv) if the Petitioner is found entitled to the claim made, the eligible amount of arrears of monetary benefits shall be disbursed within a period of 30 days from the date of passing of that order;
- (v) the report of completion of the aforesaid exercise shall be filed by 30.06.2022 before the Registrar (Judicial) of this Court; and
- (vi) there shall be no order as to costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Maya



To

1. The Director of Elementary Education
DPI Campus, Chennai - 600 006.
2. The District Educational Officer
Sathuvachari,
Vellore - 623 009.
3. The Block Educational Officer
Katpadi, Vellore District.

Copy To:-

The Registrar (Judicial),
Madras High Court,
Chennai - 600 104.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.15141

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SV(CO)
PBS/08/04/2022