



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.8425 of 2022

S.Sakarabani

... Petitioner

Vs.

1.The Chief Educational Officer,
Vellore, Vellore District.

2.The District Educational Officer,
Thirupattur,
Vellore District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to disburse the arrears of salary and other consequential monetary benefits arising from the order passed by the 1st respondent in Na.Ka.No.1446/Aa3/2021, dated 12.08.2021, approving the appointment of the petitioner as Physical Education Teacher at Concordia High School, Pernambut, with effect from 07.06.2017, by considering the representation of the petitioner dated 28.10.2021, submitted to the 1st respondent, in person.

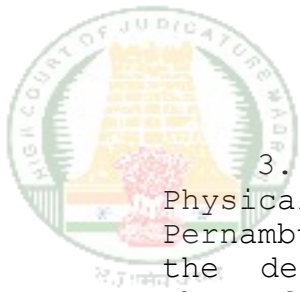
For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.V.Manoharan
Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The writ petition has been filed seeking issuance of Writ of Mandamus, directing the respondents to disburse the arrears of salary and other consequential monetary benefits arising from the order passed by the 1st respondent in Na.Ka.No.1446/Aa3/2021, dated 12.08.2021, approving the appointment of the petitioner as Physical Education Teacher at Concordia High School, Pernambut, with effect from 07.06.2017, by considering the representation of the petitioner dated 28.10.2021, submitted to the 1st respondent, in person.



3. According to the writ petitioner, he was appointed as Physical Education Teacher at Concordia High School, Pernambut, on 27.06.2016, in the existing vacancy arose due to the death of earlier incumbent, namely Mr.G.D.Dayalaraj. Thereafter, the School being a minority institution, submitted a proposal to the 2nd respondent seeking for approval of his appointment as PET Teacher with effect from 07.06.2017. But, the 2nd respondent vide proceedings dated 30.05.2018, rejected to approve his appointment on untenable grounds. Aggrieved by the same, the petitioner has filed W.P No.17670 of 2018 and the same was allowed by this Court on 30.10.2019. Thereafter, on filing the Contempt Petition No.841 of 2021, the 1st respondent, vide an order dated 12.08.2021, approved the appointment of the petitioner as Physical Education Teacher, with effect from 07.06.2017. Despite the receipt of the notice of contempt, the 1st respondent has failed to disburse the arrears of salary and other monetary benefits to the petitioner. Hence the petitioner made a representation to the 1st respondent on 28.10.2021, but there was no response. Hence, the petitioner has filed the writ petition before this Court.

4. The learned Government Pleader appearing for the respondents, on his instructions submitted that if the petitioner produces the Genuineness Certificate for acquiring the educational qualification, the 1st respondent will settle the entire arrears amount to the petitioner.

5. Accepting the aforesaid submission, the learned counsel for the petitioner submitted that the petitioner will produce the Genuineness Certificate to the 2nd respondent, namely, The District Educational Officer, Thirupatttur, Vellore District.

6. In view of the aforesaid submissions, this Court is inclined to direct the petitioner to produce the Genuineness Certificate to the 2nd respondent, within a period of four weeks from the date of receipt of a copy of this order. If the 2nd respondent is satisfied with the said Genuineness Certificate, he shall disburse the arrears of salary and other monetary benefits to the petitioner, within a period of four weeks thereafter.

7. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//



uma

To

1.The Chief Educational Officer,
Vellore, Vellore District.

2.The District Educational Officer,
Thirupattur,
Vellore District.

+lcc to Mr.S.N.Ravichandran, Advocate SR. No.23503

+lcc to Government Pleader SR. No.24115

W.P.No.8425 of 2022

PL (CO)

PR (28/04/2022)