



WEB COPY



W.P.No.29898 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.29898 of 2018

and

W.M.P.No.34905 of 2018

A.Anand

... Petitioner

Vs.

1. The Director

The Directorate of School Education
(Higher Secondary),
DPI Campus, College Road,
Chennai – 6.

2. The District Educational Officer,

Office of the District Educational Officer,
Dindigul, Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus to direct the first respondent to pay salary to Petitioner for the period from 17.03.1998 to 06.06.2001 by sending the petitioner for one month Child Psychology Training and to regularize and enter in S.R Book of such service period from 17.03.1998 to 06.06.2001.



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For Petitioner : Mr.I.Arockia Selvaraj

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the first respondent to pay salary to the Petitioner for the period from 17.03.1998 to 06.06.2001 by sending the petitioner for one month Child Psychology Training and to regularize and make entries in S.R Book of such service period from 17.03.1998 to 06.06.2001.

2. The learned Special Government Pleader appearing on behalf of the respondents made a submission that the petitioner was not qualified during the relevant point of time and he had not completed the Child Psychology Training for the purpose of grant of approval of appointment. However, the petitioner had subsequently completed the training and became eligible and appointed in another school on 07.06.2001.

3. Subsequently, the petitioner was transferred to another school under the same Management, however, the fact remains that during the period



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from 1998 to 2001, the petitioner was not qualified for appointment and therefore, his appointment was not approved during the relevant point of period.

If at all no salary has been paid, the said salary is to be claimed against the Management of the school. The Government cannot pay salary for the period in which the petitioner's appointment was not approved. Thus, the petitioner is at liberty to claim salary from the Management. The Management is not being a party in the writ petition, the petitioner has to set out his claims against the Management for settlement of salary in the manner known to law.

4. With this liberty, this writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

28.09.2022

Index: Yes
Internet: Yes
Speaking order
rgm/ssr



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S.M.SUBRAMANIAM, J.

SSR

To

1. The Director
The Directorate of School Education
(Higher Secondary),
DPI Campus, College Road,
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2. The District Educational Officer,
Office of the District Educational Officer,
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