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W.P.No.14962 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No. 14962 of 2016

D.Bhuvana

... Petitioner

Versus

- 1.The Joint Director of School Education,
(Higher Secondary Education),
DPI Compound, Chennai-6.
- 2.The Chief Educational Officer,
The Chief Educational Office,
'B' Block, Collector Office,
Sathuvacherry, Vellore-9,
- 3.The Head Master,
Government Girls Higher Secondary School,
Poigai, Vellore District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, prays to issue a Writ of Mandamus, directing the respondents to comply the circular issued by the 1st respondent in Na.Ka.No.21256/W3/E3/2014 dated 09.06.2014.

For Petitioner

: Mr.S.Nagarajan

For Respondents

: Mrs.M.Shahjahan

Special Government Pleader



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ORDER

This writ petition has been filed to direct the respondents to comply with the circular issued by the 1st respondent in Na.Ka.No.21256/W3/E3/2014 dated 09.06.2014.

2. The case of the writ petitioner is that she is working as a Post Graduate Assistant in English in Government Girls Higher Secondary School, Poigai, Vellore District. On 01.06.2000, the petitioner was transferred to the Government Matriculation Higher Secondary School, Pernampet and necessary relieving order was also issued. She further states that since there is no vacancy in the said school, she was permitted to join the school on 16.10.2000. The delay was not attributable to the petitioner but only because of the fact that there was no vacancy in the school at Pernampet. The petitioner's grievance is that she was not paid salary from 01.06.2000 to 15.10.2000(3 months and 15 days). Therefore, the petitioner made a representation on 06.02.2004 to the respondents. Since no action was taken



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on the part of the respondents, the petitioner was constrained to file a writ petition in W.P.No.28110 of 2005 before this Court and the same was ordered on 27.11.2013, directing the respondents to consider the petitioner's representation dated 06.02.2004 within a period of eight weeks. Thereafter, the 1st respondent issued a proceeding on 09.06.2014 to regularize the petitioner's period between 01.06.2000 and 15.10.2000. However, the 3rd respondent did not take any steps to comply with the order of the 1st respondent. Under such circumstances, she has approached this Court seeking issuance of a writ of mandamus.

3. Heard, Mr.S.Nagarajan, learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

4. The learned Special Government Pleader for the respondents fairly concedes that the order of the 1st respondent would be complied with and necessary orders would be passed within a reasonable time and in accordance with law.



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5. Considering the above, this writ petition is disposed of, directing the 3rd respondent to pass orders in line with the circular issued by the 1st respondent in Na.Ka.No.21256/W3/E3/2014 dated 09.06.2014 within a period of four weeks from the date of receipt of a copy of this order.

08.06.2023

Index : Yes / No

Internet: Yes

Speaking/non speaking order
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To

- 1.The Joint Director of School Education,
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P.B.BALAJI, J.,

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