



W.P.No.35097 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.35097 of 2012
and M.P.Nos.1 of 2012 & 1 of 2015

The Secretary,
W.T.Masilamani Mudaliar
Higher Secondary School,
Walajabad, Kanchipuram.

... Petitioner

Vs.

1.The Joint Director of School Education,
College Road, Nungambakkam,
Chennai – 600 006.

2.The Chief Educational Officer,
Kanchipuram.

3.V.Thiagarajan

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorari calling for the records dated 20.12.2012 of the first respondent made in Na.Ka.No.120392/G2/E2/2008, culminating in the impugned order and quash the same.



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WEB COPY For Petitioner : Mr.Suhrith Parthasarathy

For Respondents 1 & 2 : Mr.S.Ravikumar,
Special Government Pleader

For Respondent 3 : Mr.S.Giridharan

ORDER

This writ petition has been filed to call for the records dated 20.12.2012 of the first respondent made in Na.Ka.No.120392/G2/E2/2008, culminating in the impugned order and quash the same.

2. When the matter was taken up for hearing, learned counsel for the petitioner/management submitted that the management has agreed to pay 60% of the compensation (Rs.20,00,000/-) towards backwages payable to the third respondent and requested seven equal installments to pay/deposit the same.

3. Learned counsel appearing for the third respondent requested this Court to direct the petitioner/management to enhance the percentage to 70%, compensation (Rs.22,00,000/-) towards the backwages payable to the third



respondent. He further prayed this Court to permit the third respondent to report duty before the petitioner/management on 19.06.2023.

4. Heard the learned counsel on either side and perused the materials available on record.

5. Considering the submission made by the learned counsel on either side and the facts and circumstances, this Court directs the petitioner/management to pay a sum of Rs.21,00,000/- (Rupees Twenty One Lakhs only) compensation towards backwages, payable to the third respondent. Further the petitioner/management is directed to pay a sum of Rs.3,00,000/- (Rupees Three Lakhs only) on or before 15.08.2023 to the third respondent and the remaining balance sum of Rs.18,000,00/- in seven equal installments and each installment will be paid once in a period of six months as follows:

- | | | |
|-----------------------|---|------------|
| 1. First Installment | — | 10.01.2024 |
| 2. Second Installment | — | 10.07.2024 |
| 3. Third Installment | — | 10.01.2025 |
| 4. Fourth Installment | — | 10.07.2025 |



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5. Fifth Installment – 10.01.2026
6. Sixth Installment – 10.07.2026
7. Seventh Installment – 10.01.2027

6. The third respondent is directed to report before the petitioner/management on 19.06.2023 for joining duty and the petitioner/management is directed to do the needful to the third respondent.

7. With the aforesaid direction and observation, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

16.06.2023

Index : Yes/No
Speaking Order : Yes/No

Note: Issue order copy today

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J.SATHYA NARAYANA PRASAD,J.

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