



W.P(MD)No.10487 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10487 of 2023

S.Messiahs Antony Durairaj

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai-600 009.
- 2.The Director of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai 600006.
- 3.The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.
- 4.The District Educational Officer,
Thoothukudi District,
Thoothukudi.
- 5.Tuticorin Diocesan Association,
Represented by its President,
Bishop of Thoothukudi,
Bishop's House,
Thoothukudi 628 001.



W.P(MD)No.10487 of 2023

6.The Corporate Manager of R.C.Scool,
Tuticorin Diocesan Association,
Catholic Bishop's House,
No.82, Great Cotton Road,
Thoothukudi 628 001.

7. St.Mary's Higher Secondary School,
Represented by its Correspondent,
Pothakalanvilai 628 702,
Thoothukudi District.

8.The Headmistress,
St.Mary's Higher Secondary School,
Pothakalanvilai 628 702,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 3 to 8 to sanction and disburse the subsistence allowance to the petitioner till the 6th respondent complies with the court order passed by this Court in W.P.(MD)No. 124 of 2018 on 20.06.2022 equivalent to half of the salary for a period of two months with effect from 16.08.2017 to 16.10.2017 and to pay full salary with effect from 17.10.2017 to till today within a stipulated period as framed by this Court..

For Petitioner : Mr.N.Dhilipkumar

For Respondents : Mr.N.Satheeshkumar
Additional Government Pleader for R1 to R4
: Mr.S.Savarimuthu
for M/s.Father Xavier Associates for R5 & R6



W.P(MD)No.10487 of 2023

WEB COPY

ORDER

This writ petition may not be maintainable for the reason that the order dated 20.06.2022 made in W.P.(MD)No.124 of 2018 has been stayed by the Hon'ble Division Bench in W.A.(MD)No.149 of 2023 on 23.02.2023. The petitioner has to necessarily await the disposal of the writ appeal. If the writ appeal ends in favour of the petitioner, the petitioner can very well renew his request and file a fresh writ petition on the same cause of action.

2. With this liberty to the writ petitioner, the writ petition is dismissed. No costs.

12.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

1.The Principal Secretary,
Department of School Education,
Fort St.George,
Chennai-600 009.

3/4



W.P(MD)No.10487 of 2023

G.R.SWAMINATHAN, J.

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- 2.The Director of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai 600006.
- 3.The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.
- 4.The District Educational Officer,
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Thoothukudi.

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