



W.P(MD)No.10558 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10558 of 2023

and

W.M.P(MD)No.9372 of 2023

- 1.E.Prabakaran
- 2.K.Nivetha
- 3.D.M.Bala Murugan
- 4.M.Subashini
- 5.D.M.Gurusamy
- 6.E.Dhiliphan Sakravarthi

... Petitioners

Vs

- 1.The Chief Educational Officer,
Office of the Chief Educational Office,
Thoothukudi,
Thoothukudi District.
- 2.The District Educational Officer,
O/o, the District Educational Office,
Thoothukudi,
Thoothukudi District.
- 3.The District Adi Diravidar Welfare Officer,
O/o.Adi Diravidar Welfare Office,
Thoothukudi.



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4.The Chairman,
Muthukaruppan Memorial Educational Trust,
Subbammalpuram,
Sillankulam (Post),
Ottapidaram (Taluk),
Thoothukudi District.

5.R.Nirmala

6.The Correspondent,
Muthukaruppan Harijan Primary & Hr Sec School
Educational Committee,
Subbammalpuram,
Sillankulam (Post),
Ottapidaram (Taluk),
Thoothukudi District.

7.S.Saroja

8.The Secretary,
Muthukaruppan Harijan Primary & Hr Sec School
Educational Committee,
Subbammalpuram,
Sillankulam (Post),
Ottapidaram (Taluk),
Thoothukudi District.

9.Balamurugan

10.The Secretary,
Muthukaruppan Memorial Educational Trust,
Subbammalpuram,
Sillankulam (Post),
Ottapidaram (Taluk),
Thoothukudi District.

11.Balamurugan

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 2,3 and 8 to disburse the salary along with arrears to the petitioners from the month of August 2020 to till date based on the order passed by this Court in Cont.Ptn(MD).Nos. 822 and 823 of 2022 in WP(MD)Nos. 14823 and 14852 of 2020 in respect of similarly placed persons working on the same school, namely, Muthukaruppan Harijan Primary Higher Secondary School, Subbammalpuram, Sillankulam post, Ottapidaram Taluk, Thoothukudi District and taking into consideration of the welfare of the students at large.

For Petitioners : Mr.G.Prabhu Rajadurai

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R.1 to R.3

No Appearance for R.4 to R.11

ORDER

Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents 1 to 3. Though notice has been served to the private respondents they have not chosen to enter appearance.

2. The case of the petitioner is that the directions given by this court on 01.03.2023 in Cont.P(MD)Nos.822 and 823 of 2023 have not been complied



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with. The petitioners are not getting their salary. This is because the proposal is not being submitted by the Management to the Department. It appears that there is some internal dispute among the members of the family constituting the Management.

3. The official respondents (respondents 1 to 3) are directed to look into the matter. It is their duty to ensure that the directions given by this Court on 01.03.2023 in the contempt petitions are honoured in letter and spirit. Communication shall be issued by the Department to the Management in question asking them to comply with the order passed by this Court. If the Management is not extending their co-operation, the Department shall resort to take over the School under Direct Management System. It should be ensured that the petitioners are paid their salary. This shall be complied with within a period of eight weeks from the date of receipt of a copy of this order.

4. This writ petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.06.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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