



**W.P.(MD)No.7826 of 2018**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED:14.02.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.(MD)No.7826 of 2018**  
**and**  
**W.M.P(MD)Nos.7406 & 7407 of 2018**

Gaffoor Middle School,  
No.20, Santhana Mariamman Kovil Street,  
Pettai,  
Represented by its Secretary  
G.Gowsiga Begam

... Petitioner

**Vs.**

- 1.The District Elementary Educational Officer,  
O/o.the District Elementary Educational Office,  
Thirunelveli,  
Thirunelveli District.
- 2.The Assistant Elementary Educational Officer,  
O/o.the Assistant Elementary Educational Office,  
Thirunelveli Range,  
Thirunelveli District.

... Respondents

**Prayer:**Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamaus, calling for the records relating to the impugned order of direct payment issued by the first respondent in his proceedings in Muu.Mu.No.704/AA1/2018 dated 22.01.2018 (served to the petitioner on 03.03.2018) and quash the same



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as illegal and consequently, to direct the respondents to release the staff grant to the teachers through the Head Master of the school for the month of April 2018 and for succeeding month within the period that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.V.George Raja  
For Respondents : Mr.J.Ashok,  
Additional Government Pleader

### **ORDER**

This writ petition has been filed to quash the order passed by the first respondent in his proceedings in Muu.Mu.No.704/AA1/2018, dated 22.01.2018 as illegal and consequently, to direct the respondents to release the staff grant to the Teachers through the Head Master of the petitioner school for the month of April 2018 and for succeeding month within the period that may be stipulated by this Hon'ble Court.

2. The case of the petitioner is that the petitioner is the Secretary of the petitioner School, which is a Government aided School and there are five Teachers and one Headmaster working in the School. While being so, the Teachers working in the petitioner school approached the respondents requesting to pay their salary directly to them. Pursuant to



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the said request, the first respondent has passed the impugned order ordering direct payment of salary to the Teachers. Challenging the same, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that aggrieved by the impugned order, the petitioner has made a representation on 10.03.2018, requesting to cancel the order of direct payment. However, even after a period of four years, no order was passed. Hence, it would suffice, if the petitioner is granted liberty to make a fresh representation in this regard and on making such request, the first respondent may be directed to consider the same, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing for the respondents, has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without interfering with the order impugned in



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this writ petition, grants liberty to the petitioner to make a fresh representation before the first respondent requesting to cancel the order of direct payment, within a period of one week from the date of receipt of a copy of this order and if any such representation is filed, the first respondent is directed to consider the same, on merits and in accordance with law, within a period of four weeks thereafter.

6. With the above direction, this Writ Petition is disposed of.  
No costs. Consequently, connected miscellaneous petitions are closed.

**14.02.2023**

PM  
NCC:Yes/No  
Index:Yes/No

**To:**

- 1.The District Elementary Educational Officer,  
O/o.the District Elementary Educational Office,  
Thirunelveli,  
Thirunelveli District.
- 2.The Assistant Elementary Educational Officer,  
O/o.the Assistant Elementary Educational Office,  
Thirunelveli Range,  
Thirunelveli District.



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**M.DHANDAPANI,J.**

pm

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