



W.P.(MD).No.23768 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.23768 of 2023

R.Thangavel

... Petitioner

Vs.

1. The Director of School Education,
DPI Campus,
College Road, Chennai.
2. The Chief Educational Officer,
Virudhunagar District Educational Office,
Virudhunagar.
3. The District Educational Officer,
Sivakasi,
Virudhunagar District.
4. G.S.Hindu Higher Secondary School,
Represented by its Secretary,
No.6, Thiruvankata Annaigal Street,
Srivilliputtur,
Virudhunagar District – 626 125.
5. S.H.N.V Higher Secondary School,
Represented by its Chairman,
Shanmugam Road,
Parasakthi Colony,
Sivakasi,
Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to sanction and pay salary to the petitioner pursuant to the order passed by the second respondent in Na.Ka.No.8847/Aa4/2022, dated 12.06.2023 to till date and in future without any default with all other benefits and consequently direct the respondents to redeploy the petitioner in the fourth respondent School within a time limit that may be stipulated by this Court in accordance to the representation sent by the petitioner dated 19.09.2023.

For Petitioner : Mrs.K.Rama Prabha
For Respondents : Mr.N.GA.Natraj
Government Advocate
For R1 to R3

: No appearance – for R4 and R5

ORDER

The present writ petition has been filed by a B.T.Assistant Teacher seeking a mandamus for payment of salary from 23.06.2023 onwards.

2. According to the learned counsel appearing for the petitioner, the petitioner was appointed as B.T. Assistant Teacher in the fourth respondent



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School on 24.10.2011. He was redeployed to Nadar Higher Secondary School, Rajapalayam, by an order, dated 12.06.2023. Thereafter, the same authority has transferred the writ petitioner from the fourth respondent School on 12.06.2023. Based upon the said redeployment order, the petitioner has worked in the fourth respondent School till 22.06.2023, for which, the petitioner has received the salary. On 12.06.2023, the same authority has passed another order redeploying the writ petitioner from the fourth respondent School to fifth respondent School. Based upon the said redeployment order, the petitioner has joined the fifth respondent School on 23.06.2023. However, the fifth respondent School could not send the salary bills of the writ petitioner, in view of the fact that the Last Pay Drawn Certificate has not been issued by the the fourth respondent School.

3. In view of the above said facts, this Court is inclined to pass the following orders:

- (i) The fourth respondent School is directed to issue Last Pay Drawn Certificate to the writ petitioner within a period of two weeks from the date of receipt of a copy of this order;
- (ii) On receipt of the said Last Pay Drawn Certificate from the fourth



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respondent School, the fifth respondent School is directed to send the salary bills of the writ petitioner for drawing salary with effect from 23.06.2023 onwards within a period of four weeks thereafter;

(iii) On receipt of the said pay bills from the fifth respondent School, the official respondents are directed to clear the pay bills within a period of four weeks thereafter; and

(iv) As a consequential prayer, the petitioner has further sought for redeployment to the fourth respondent School. Considering the vacancy available in the fourth respondent School, it is for the official respondents to decide the same on merits and in accordance with law.

4. With the above said observations, this writ petition stands disposed of. There shall be no order as to costs.

21.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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