



WEB COPY

W.P.No.12204 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HONOURABLE MR.JUSTICE **D. BHARATHA CHAKRAVARTHY**

W.P.No.12204 of 2024

Mrs.Julie Joseline

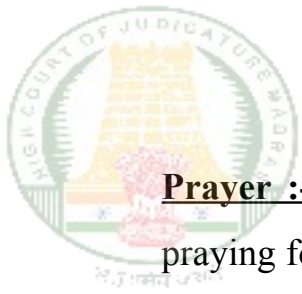
... Petitioner

-Vs-

1. The Directorate of Education
Directorate of School Education,
DPI Complex College Road,
Chennai 600 006.
2. A.V.Joseph
Correspondent
S.B.O.A School and Junior College,
No.18, School Road,
Anna Nagar Western Extension,
Chennai 600 101.
3. The Secretary and Correspondent,
S.B.I.O.A. Educational Trust,
S.B.O.A. School and Junior College,
No.18, School Road,
Anna Nagar Western Extension,
Chennai 600 001.
4. The Director of Private School Education,
DPI Complex College Road,
Chennai 600 006.

... Respondents

R4 Suo motu impleaded by this Court vide order dated 03.06.2024



W.P.No.12204 of 20

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to take appropriate action on the communication CBSE/AFF/Comp/1930071/2024 dated 04.01.2024 with regard to difference in Gratuity along with interest as per VIIth Pay Commission Recommendation.

For Petitioner : Mr.Sundaravadivelu

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

This writ petition is filed for issuance of a writ of mandamus to direct the 1st respondent to take appropriate action on the communication CBSE/AFF/Comp/1930071/2024 dated 04.01.2024 with regard to difference in Gratuity along with interest as per VIIth Pay Commission Recommendation.

2. The learned counsel for the petitioner submitted that the respondents are bound to consider the grievance of the petitioner with regard to the difference in gratuity. The petitioner has already made a representation through the learned counsel on 06.12.2023 and also on 03.02.2024 to the 2nd and 3rd respondents. Since there was no response the petitioner has come up with the present writ petition.



3. The learned Special Government Pleader submitted that since the request has not been made before the appropriate authority namely the Director of Private School Education, DPI Complex College Road, Chennai 600 006 the representation of the petitioner was not considered.

4. Heard both sides and perused the materials available on record.

5. Only if the representation is made before the concerned authority and still if the grievance of the petitioner is not considered/resolved thereafter the petitioner can approach this Court. Since the request has not been made before the concerned authority and the appropriate authority is the Director of Private School Education, DPI Complex College Road, Chennai - 6, this Court suo motu impleads Director of Private School Education, DPI Complex College Road, Chennai - 6 as 4th respondent in this writ petition. Accordingly, this writ petition is disposed of on the following terms:-

1. The petitioner shall make a fresh representation to the 4th respondent namely the Director of Private School Education, DPI Complex College Road, Chennai - 600 006/4th respondent (newly impleaded) within a period of three weeks from the date of receipt of a copy of this order.

2. On receipt of such representation, the 4th respondent shall consider



the same within a period of 8 weeks thereafter in accordance with law and pass

orders. No costs.

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03.06.2024

Neutral Citation: Yes/No
dpq

To

1. The Directorate of Education
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D. BHARATHA CHAKRAVARTHY, J.

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