



W.P.(MD)Nos.15915 and 15916 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)Nos.15915 and 15916 of 2023

W.P.(MD)No.15915 of 2023:

C.Ramakrishnan

... Petitioner

Vs.

1.The Chief Educational Officer,
Pudukkottai District.

2.The District Educational Officer,
Pudukkottai, Pudukkottai District.

3.V.V.Higher Secondary School,
Represented by its Secretary,
Ponnamaravathy – 622 407,
Pudukkottai District.

4.V.E.Ramanathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 3 and 4 herein to disburse the monthly salary payable to the petitioner as Post Graduate Assistant (Economics) in the third respondent School from 29.06.2020 onwards with appropriate interest.



W.P.(MD)Nos.15915 and 15916 of 2023

(Prayer amended vide Court Order dated 19.06.2024 in WMP(MD)No. 7828 of 2024 in W.P.(MD)No.15915 of 2023)

For Petitioner : Mr.E.V.N.Siva

For R-1 and R-2 : Mr.T.Amjadkhan
Government Advocate

W.P.(MD)No.15916 of 2023:

R.Ramesh Kumar

... Petitioner

Vs.

1.The Chief Educational Officer,
Pudukkottai District.

2.The District Educational Officer,
Pudukkottai, Pudukkottai District.

3.V.V.Higher Secondary School,
Represented by its Secretary,
Ponnamaravathy – 622 407,
Pudukkottai District.

4.V.E.Ramanathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 3 and 4 herein to disburse the monthly salary payable to the petitioner as Drawing Teacher in the third respondent School from 29.06.2020 onwards with appropriate interest.



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(Prayer amended vide Court Order dated 19.06.2024 in WMP(MD)No. 7746 of 2024 in W.P.(MD)No.15916 of 2023)

For Petitioner : Mr.E.V.N.Siva

For R-1 and R-2 : Mr.T.Amjadkhan
Government Advocate

COMMON ORDER

Heard Mr.E.V.N.Siva, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents 1 and 2.

2. These Writ Petitions have been filed for issuance of Writ of Mandamus, seeking direction against the respondents 3 and 4, to disburse the monthly salary payable to the petitioners as Post Graduate Assistant (Economics) and Drawing Teacher respectively in the third respondent School from 29.06.2020 onwards with appropriate interest.

3. Mr.E.V.N.Siva, learned counsel for the petitioner submitted that the petitioners have been appointed as P.G.Assistant (Economics)



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and Drawing Teacher on 29.06.2020 on account of retirement of previous incumbents namely, Joseph Ravikumar and R.Nagarajan. He further submitted that even though the petitioners had submitted all the required documents to the School Management, no action has been taken by the School Management for approving the appointment of the petitioners. Hence, the present petition is filed.

4. Mr.T.Amjadkhan, learned Government Advocate for the respondents 1 and 2 submitted that the School is under the direct management and hence the proposal cannot be received unless the recognized School Committee comes into place and process the papers.

5. The petitioners however seek a direction against the respondents 3 and 4 who they claim to be the School Management authorities. Unless and until the School Committee is approved by the respondents 1 and 2, the Committee has got no authority in the management of the School.



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6. Only in view of non existence of valid School Committee, the School was under the direct payment. In such case, the petitioners have to work out their remedy for claiming any salary or compensation or whatever loss caused to them consequent to their appointment only by filing a suit against the persons concerned.

7. In view of the above observations, these Writ Petitions are **disposed of**. No costs.

20.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:

WEB COPY

- 1.The Chief Educational Officer,
Pudukkottai District.
- 2.The District Educational Officer,
Pudukkottai, Pudukkottai District.



WEB COPY



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R.N.MANJULA, J.

Nsr

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