



W.P.(MD).No.21147 of 2021

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

**DATED : 18.04.2024**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD).No.21147 of 2021**

P.Karuppiah

...Petitioner

Vs.

1.The Director of Elementary Education,  
DPI Complex,  
College Road,  
Chennai-600 006.

2.The District Educational Officer,  
Govt. Boys Higher Secondary  
School Campus,  
Trichy Main Road, Melur,  
Madurai District.

3.The District Elementary Educational  
Officer,  
RMS Road, Madurai,  
Madurai District.

4.The Assistant Elementary Educational  
Officer,  
Govt. Boys Higher Secondary  
School Campus,  
Trichy Main Road, Melur,  
Madurai 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 4<sup>th</sup> respondent to take necessary action to give service benefits and arrears on the basis of the representation given by the petitioner on 25.10.2021 and with interest within the time limit that may be fixed by this Court.

For Petitioner : M/s.J.Balameenakshi

For Respondents : Mr.M.Sarangan,  
Additional Government Pleader

### **ORDER**

The present writ petition has been filed seeking direction to the the 4<sup>th</sup> respondent to take necessary action to give service benefits and arrears on the basis of the representation given by the petitioner on 25.10.2021 and with interest.

2. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner was appointed as Junior Assistant on 29.06.1981 in the office of the Assistant Elementary Education, Kodaikanal. On 02.04.1994, he was promoted as Assistant and then promoted as Superintendent and thereafter,



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he was posted at the Assistant Elementary Educational Office, Thiruparankundram, Madurai, vide proceedings dated 25.01.2005. Despite being promoted as Superintendent and having worked in many places his time scale of pay was not fixed in the post of Superintendent. Hence, he made several representations to the respondents and lastly on 08.08.2017 and 05.12.2017, the petitioner made a couple of representations to the 4<sup>th</sup> respondent in this regard. Since the same was not considered by the respondents, the petitioner was constrained to file W.P.(MD)No.7884 of 2018 before this Court and this Court, by an order dated 11.04.2018 was pleased to direct the respondents to consider the petitioner's representation. Even after the said order passed by this Court, the petitioner's plight was not addressed by the respondents. Hence, he made another representation on 25.10.2021 to the 4<sup>th</sup> respondent. Since the same was not considered by the respondents, the present writ petition came to be filed.

3. The 4<sup>th</sup> respondent has filed a counter affidavit and the learned Additional Government Pleader, Mr.M.Sarangan appearing for the respondents submitted that despite the respondents required the petitioner to appear and



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furnish the necessary documents, the same was not done by the petitioner and hence, the respondents were not able to implement the order passed by this Court, vide order, dated 11.04.2018. The said submission is recorded.

4. The learned counsel appearing for the petitioner submitted that the petitioner is suffering from medical ailment which prevented him from approaching the respondents.

5. Heard, the learned Counsels on either sides. Carefully perused the materials available on record.

6. In view of the said submission made by the either parties, this Court hereby direct the petitioner to make a fresh representation to the respondents in this regard. On receipt of the same, the respondents are directed to consider the case of the petitioner and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.



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7. Accordingly, this Writ Petition is disposed of. No costs.

**18.04.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
Sml

To

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**L.VICTORIA GOWRI, J.**

Sml

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