



W.P.(MD).No.22408 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.22408 of 2024

and

W.M.P(MD) No.18991 of 2024

P.Sam Devasagayam

... Petitioner

Vs.

1. The Director of Elementary Education,
The Directorate of Elementary Education,
College Road,
Chennai – 600 006.

2. The District Elementary Education Officer,
District Elementary Education Office,
Kovilpatti,
Thoothukudi District- 628 501.

3. The Block Education Officer,
Block Education Office,
Vilathikulam,
Thoothukudi District – 628 007.

4. The Correspondent,
T.N.D.T.A Middle School,
Sithavanaickanpatti,
Vilathikulam Taluk,
Thoothukudi 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 1, 2 and 3 to consider and dispose of the petitioner's representation dated 27.04.2024 and consequently to allow the petitioner continue in the service and to disburse the salary arrears and to upgrade the petitioner's post of part Time Pre-Vocational Instructor to Full Time Pre-Vocational Instructor and to fix the salary as per the recommendations of the Pay Commission within a specific time frame as may be fixed by this Court.

For Petitioner : Mr.B.Rooban

For R1 to R3 : Mr.J.Ashok
Additional Government Pleader

ORDER

The instant Writ Petition has been filed by a Part time Vocational Instructor working in the fourth respondent Institution, seeking a Mandamus to allow the petitioner to continue in the service and to disburse the salary arrears and to upgrade the petitioner's post of part Time Pre-Vocational Instructor to Full Time Pre-Vocational Instructor and to fix the salary as per the recommendations of the Pay Commission.



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2. According to the learned counsel appearing for the writ petitioner, the fourth respondent herein has prevented the writ petitioner from attending duty from 15.06.2024 on the ground that he had been instructed by the second respondent to prevent the writ petitioner from attending duty. Hence, the petitioner has sent a representation to the Educational Authorities on 24.07.2024. However, there is no response from the educational authorities. Hence, the present writ petition.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, submits that none of the educational authorities have given any oral instructions to the fourth respondent to prevent the writ petitioner from attending duty.

4. In view of the above said facts, the fourth respondent herein is directed to permit the petitioner to continue in service and disburse the eligible salary to the petitioner. As far as the other prayers are concerned, it is for the authorities to consider the same in the light of the Government Order.



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5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

26.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

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R.VIJAYAKUMAR,J.

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