



W.P.(MD).No.23198 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.23198 of 2021

Kalaivani

...Petitioner

Vs.

- 1.The Chief Educational Officer,
Tenkasi District, Tenkasi.
- 2.The District Educational Officer,
Sankarankoil, Tenkasi District.
- 3.The Block Level Educational Officer,
Vasudevanallur Range, Tenkasi District.
- 4.The Secretary,
School Committee,
Bharathi Elementary School,
Keelakarisal Kulam Village,
Royagiri Post, Sivagiri Taluk,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent herein to pay / disburse the salary of the petitioner from the month of November 2020 onwards within the stipulated period.



W.P.(MD).No.23198 of 2021

WEB COPY

For Petitioner : Mr.T.S.Mohamed Mohideen

For R-1 to R-3 : Mr.M.Sarangan,
Government Advocate

For R-4 : No Appearance

ORDER

Heard Mr.T.S.Mohamed Mohideen, learned counsel appearing for the petitioner and Mr.M.Sarangan, learned Additional Government Pleader appearing for respondent Nos.1 to 3.

2. The present writ petition has been filed seeking direction to the second respondent herein to pay / disburse the salary of the petitioner from the month of November 2020 onwards within the stipulated period.

3. The petitioner was appointed as 'Secondary Grade Teacher' in the fourth respondent School on 27.07.1988. Later, on 01.06.2000, she was promoted to the post of Headmistress. Due to the death of the Founder of the School on 14.02.2008, the School came under direct payment by order dated



W.P.(MD).No.23198 of 2021

12.04.2008 passed by the Chief Educational Officer, Tirunelveli District. The petitioner continued till October 2020 without any disturbance and received the salary from the Education Department directly. However, the petitioner is not further disbursed with salary from the month of November 2020, for which, the petitioner made a representation on 11.09.2021 to respondent Nos.1 to 3. However, the same was not considered, hence, this Writ Petition came to be filed.

4. Mr.T.S.Mohamed Mohideen, learned counsel appearing for the petitioner submitted that due to the lapse of administration of the fourth respondent School and the change of locality of the School, though the petitioner and other Teachers were paid directly by the Education Department till October 2020, thereafter, the salary was not disbursed and even the representation was not considered and he pressed for allowing this Writ Petition elaborating the plight of the petitioner, who is working in the said School without salary, facing a lot of problems in her day to day life.



W.P.(MD).No.23198 of 2021

WEB COPY

5. The second respondent has filed a counter affidavit and Mr.M.Sarangan, learned Additional Government Pleader appearing for the respondent Nos.1 to 3 submitted that due to several cases pending with respect to the Management before the various Courts, the Government Authorities could not take a final call in the matter of disbursal of salary to the petitioner.

6. In view of the same, this Court is of the considered view that the petitioner's plight should be addressed and hence, there shall be a direction to the second respondent to consider the petitioner's representation dated 11.09.2021 and disburse the petitioner's salary from the month of November 2020 in accordance with law after affording an opportunity to all the necessary parties.

7. Accordingly, this Writ Petition stands **disposed of**. No costs.

05.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TSG



W.P.(MD).No.23198 of 2021

To

- 1.The Chief Educational Officer,
Tenkasi District, Tenkasi.
- 2.The District Educational Officer,
Sankarankoil, Tenkasi District.
- 3.The Block Level Educational Officer,
Vasudevanallur Range, Tenkasi District.



WEB COPY



W.P.(MD).No.23198 of 2021

L.VICTORIA GOWRI, J.

+TSG

W.P.(MD).No.23198 of 2021

05.07.2024