



W.P.No.22885 of 2015

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.22885 of 2015

1.A.Deivasigamani
2.A.Thankaraj
3.J.Thomas

... Petitioners

Vs.

1.Union of India,
Rep by the Secretary to Government for
Education, Chief Secretariat,
Puducherry.

2.Director of School Education,
Education Department,
Puducherry.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the I ACP – Assured Career Program pay scale attached to the post of Trained Graduate Teacher to the first and third petitioners and the pay for



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the post of Language Teacher Grade – I to the second petitioner and to pay scale of Head Master Grade – II to the petitioners as first MACP – Modified Assured Carrier Program with all other consequential benefits including arrears of wages.

For Petitioners : Mr.V.Ajayakumar

For Respondents : Mr.Syed Mustafa

Additional Government Pleader (P)

ORDER

This writ petition has been filed by three petitioners seeking the following reliefs :

Writ of Mandamus, directing the respondents to pay the I ACP – Assured Carrier Program pay scale attached to the post of Trained Graduate Teacher to the first and third petitioners and the pay for the post of Language Teacher Grade – I to the second petitioner and to pay scale of Head Master Grade – II to the petitioners as first MACP – Modified Assured Carrier Program with all other consequential benefits including arrears of wages.



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2. During the pendency of the writ petition, the first petitioner passed away. However, the legal representatives could not be brought on record. It is noticed that the petitioners without making any claim before the respondents for grant of pay scale under Assured Career Program Scheme and Modified Assured Career Program Scheme, directly approached this Court seeking such a relief. The petitioners herein are all the employees who worked in the private aided school namely 'Our Lady of Lourdes Boys High School, Villianur, Puducherry', but for the reasons best known, the petitioners have not impleaded the said school. If at all the petitioners herein have entitled for grant of pay scale under Career Program Schemes, it is for the management of the petitioners to submit appropriate proposals to the respondents herein and in case, if any such proposals was submitted by the employer of the petitioners herein, the same would have been considered by the respondents herein. In the instant case, it is not even the case of the petitioners that their employer at any point of time submitted any such proposals.



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3. As already noted above, the employer of the petitioners herein is also not impleaded as respondent in the writ petition. In the circumstances, this Court is of the view that in the absence of the employer of the petitioners being party to the writ petition and also in the absence of any claim made by the petitioners before the respondents for grant of relief as sought in the present writ petition, it is not possible for this Court to consider the claim of the petitioners on merits.

4. In the circumstances, this Writ Petition is disposed of, granting liberty to the petitioners to submit a detailed representations through their employer for consideration of the case of the petitioners for grant of relief as sought for in the present writ petition within a period of eight (8) weeks from the date of receipt of a copy of this order. In case if the writ petitioners make any such representation within a time stipulated above, the second respondent shall consider the same and pass appropriate orders thereon, as expeditiously as possible, at any rate, within a period of three months thereafter. As the first petitioner is no

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more, the legal representatives of the first petitioner are granted liberty to submit their representations along with the petitioners 2 and 3.

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

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Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl

To

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2.Director of School Education,
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MUMMINENI SUDHEER KUMAR, J.

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