



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-08-2025

WEB COPY

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

WA No. 2329 of 2013

1. M.Mani

Appellant(s)

Vs

1. The Deputy Secretary,
Education Department, Fort St. George,
Chennai-9

2.The Joint Director Of School
Education (se) Chennai-600 006

3.The District Educational
Officer, Chennai Central Saidapet,
Chennai-15

4.The Management Of Olcott
Memorial High School, Besant Nagar,
Chennai-90

Respondent(s)

PRAYER Writ Appeal filed under Clause 15 of Letter Patent to set aside the order passed by this court dated 22.11.2012 in W.P.No.29450 of 2012.

For Appellant(s): Mr. Mani, Party in Person

For Respondent(s): Mr. J.C.Durairaj,
Additional Government Pleader

ORDER



(Order of the Court was made by J.Nisha Banu J.)

WEB COPY

The writ petitioner has filed the instant writ appeal to set aside the order passed by this Court dated 22.11.2012 in W.P.No.29450 of 2012.

2. The appellant had filed the above writ petition seeking direction to the first respondent to consider and dispose of the revision petition dated 30.04.2012 filed by him, within a stipulated period.

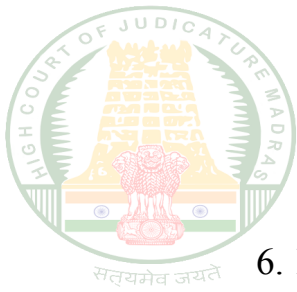
3. It is the case of the appellant that he was working as Office Assistant (peon) in the 4th respondent school w.e.f. 16.09.1974. Subsequently, appointment order was issued on 08.05.1976 by the 4th respondent, appointing him as peon in the pay scale of Rs.130/- along with other allowances. The petitioner contended that, he was working in the permanent post from the year 1974 to 1976, however, the 4th respondent had not paid the arrears of salary for those period. Despite the petitioner made several requests and approached the Educational Department seeking such claim, it did not yield any fruitful remedy. Hence he filed C.P.No.463/1980 before the II Additional Labour Court and the same was dismissed for want of jurisdiction. Thereafter, the petitioner filed an appeal before the 2nd respondent and the same came to be dismissed on 07.03.2007, informing that the petitioner's claim that he had worked in the school even prior to 8.5.1976, i.e. for the period from 16.09.1974 to 30.04.1976



was not approved by the District Educational Officer, South Chennai. Again, the petitioner filed a revision petition before the first respondent on 30.04.2012 seeking arrears of salary, however, it was not considered. Hence, he filed the above said writ petition.

4. It appears that as against the appeal order dated 07.03.2007, the appellant/ writ petitioner filed the revision petition on 30.04.2012 before the first respondent. The learned Single Judge, in the impugned order, observed that the cause of action for filing the revision petition arose on 07.03.2007, i.e. when the petitioner's application was rejected by the Joint Director of School Education, Chennai and subsequently, the petitioner's reminders were also rejected. Therefore, the learned Judge dismissed the writ petition for delay and laches.

5. The learned Additional Government Pleader appearing for the respondents 1 to 3 informed before this court that the copy of the revision petition filed by the appellant, dated 30.04.2012 is not available with the respondents. He further submitted that if the petitioner gives the copy of the said revision petition, the respondents will consider the same and pass appropriate orders, on its own merits and in accordance with the law, within the stipulated time, as fixed by this court.



WEB COPY

6. In view of the above, the appellant is directed to give the copy of the revision petition dated 30.04.2012 to the first respondent. Upon receipt of the copy of the revision petition, the first respondent shall pass appropriate orders, on its own merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of the revision petition.

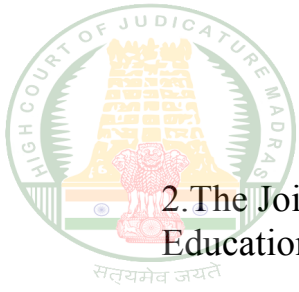
7. With the above directions and observations, this writ appeal is disposed of. There shall be no order as to costs.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
01-08-2025

Index: Yes/No
Internet: Yes
Neutral Citation: Yes/No
MST

To

1. The Deputy Secretary,
Education Department,
Fort St. George, Chennai-9



2.The Joint Director Of School
Education (se) Chennai-600 006

3.The District Educational Officer,
Chennai Central Saidapet, Chennai-15

4.The Management Of Olcott
Memorial High School, Besant Nagar,
Chennai-90



WEB COPY

W.A.No.2329 of 2



**J.NISHA BANU J.
AND
M.JOTHIRAMAN J.**

MST

WA No. 2329 of 2013

01.08.2025