



W.A.(MD)No.943 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 09.04.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.A.(MD)No.943 of 2025

&

C.M.P.(MD)No.6048 of 2025

- 1.The Director,
Directorate of Tribal Welfare,
Chepauk, Chennai-05.
- 2.The Head Master,
Government Tribal Residential Hr.Sec.School,
Pechiparai, Kanniyakumari District.
- 3.The Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai-9.

... Appellants

-Vs-

T.Thanka Linda

... Respondent

PRAYER: Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 26.09.2023 made in W.P.(MD)No.22958 of 2023 on the file of this Court.



WEB COPY



W.A.(MD)No.943 of 2025

For Appellants : Mr.J.Ashok,
Additional Government Pleader
For Respondent : Mr.S.Titus

JUDGMENT

[Judgment of the Court was delivered by **J.NISHA BANU, J.**]

This Writ Appeal is directed against the order of the Court dated 26.09.2023 made in W.P.(MD)No.22958 of 2023.

2.It is the case of the respondent / writ petitioner that while he was working as Government Tribal Residential School Teacher in the 2nd appellant school, he was holding additional charge of Headmaster for a period of 10 months continuously from 01.06.2017 to 31.03.2018, for which, he is entitled for additional charge pay as per Section 49 of Fundamental Rules and as per G.O.(Ms)No.153, Personnel and Administrative Reforms (FR-IV) Department of Government of Tamil Nadu, dated 05.12.2017. Therefore, he made several representations to the 1st appellant. However, they same have not been considered. Therefore, he has filed the said Writ Petition.



W.A.(MD)No.943 of 2025

WEB COPY

3.The Writ Court, after hearing both sides, disposed of the said Writ Petition vide order dated 26.09.2023, directing the 3rd appellant to consider the representation of the writ petitioner and pass final orders to pay additional charge salary for 10 months as Headmaster additional charge within a period of twelve weeks from the date of receipt of a copy of the order. Aggrieved by the same, the appellants have filed this Writ Appeal.

4.The learned Additional Government Pleader appearing for the appellants would submit that the appellants are only aggrieved with the positive direction given by the Writ Court ie., ***“pass final orders to pay additional charge salary for 10 months as Headmaster additional charge within a period of twelve weeks from the date of receipt of a copy of the order”*** and therefore, the same may be removed, however, the representation of the writ petitioner would be considered on its own merits.

5.Considering the submissions made by the learned Additional Government Pleader for the appellants, without going into the merits of the matter, we direct the 3rd appellant to consider the representation of the writ petitioner and pass appropriate orders on its own merits and in accordance with

Page 3 of 5



W.A.(MD)No.943 of 2025

law within a period of twelve weeks from the date of receipt of a copy of this order.

WEB COPY

6. With the above modification in the order impugned herein, this Writ Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[J.N.B., J.] & [S.S.Y., J.]
09.04.2025

NCC : Yes / No
Index : Yes / No

Yuva



WEB COPY



W.A.(MD)No.943 of 2025

J.NISHA BANU, J.
AND
S.SRIMATHY, J.

Yuva

W.A.(MD)No.943 of 2025

09.04.2025