

W.A.(MD)No.2490 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 31.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.2490 of 2024
and
C.M.P.(MD)No.17426 of 2024**

1.Alagappa Model Higher Secondary School,
Represented by its Secretary of School Committee/
Registrar (i/c) Alagappa University,
Karaikudi - 630 003.

2.The Headmaster,
Alagappa Model Higher Secondary School,
Karaikudi - 630 003.

... Appellants

Vs.

1.A.Subbulakshmi

2.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.

3.The Joint Director (Personnel),
Commissionerate of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai - 600 006.



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4.The Chief Educational Officer,
Sivagangai District,
Sivagangai.

5.The District Educational Officer (Secondary Education),
Sivagangai District. ... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.22668 of 2023 dated 19.06.2024 on the file of this Court.

For Appellants : Mr.T.Cibichakraborty

For Respondents : Mr.C.Venkateshkumar,
Spl. Government Pleader for R2 to R5.
Mr.B.Karunanidhi for R1

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The management is on appeal challenging the order dated 19.06.2024 made in W.P.(MD)No.22668 of 2023. The said writ petition was filed by the first respondent herein (A.Subbulakshmi). She was working as Assistant Headmistress of the appellant school. She reached



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the age of superannuation on 30.06.2022. She wanted re-employment.

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Her request was not accepted by the school management. This was the cause for friction between the school management and the writ petitioner. Subbulakshmi filed W.P.(MD)No.20178 of 2022 and it was followed by filing of contempt petition also. The cause of action for the present round of proceeding is the demand for payment interest for the belated payment. It is not in dispute that the provident fund claim submitted by the writ petitioner was sanctioned as early as 17.08.2022. But the monetary benefits were paid to the writ petitioner only on 07.02.2023 by the school management. According to the writ petitioner, she is entitled to payment of interest for the belated payment. With the aforesaid demand, she filed W.P.(MD)No.22668 of 2023. The learned Single Judge while granting the writ prayer held that it is the school management that has to bear the liability. Aggrieved by the same, this writ appeal has been filed.

3.Though there is considerable merit in the stand of the writ petitioner, we have to take note of one development. Subbulakshmi filed W.P.(MD)No.20178 of 2022 and on 04.11.2022, a direction was given to



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the school management to release the monetary benefits payable to the writ petitioner forthwith and without any delay. We are therefore of the view that this date ie., 04.11.2022 can be taken as the base date for reckoning the interest payable to the writ petitioner. We, therefore, modify the order of the learned Single Judge and hold that interest shall be reckoned from the said date ie., 04.11.2022.

4. There is one another aspect. According to the writ petitioner, she is entitled to encash earned leave for 239 days. According to the appellant management, it would only be 224 days. Without resolving this dispute, the learned Single Judge has given a direction. Therefore, this part of the order of the learned Single Judge warrants interference. We direct the District Educational Officer (Secondary Education), Sivagangai District to issue notices to the appellant / management as well as the writ petitioner in this regard and adjudicate the issue. The rights of the parties will abide by the outcome of the said enquiry. The District Educational Officer (Secondary Education), Sivagangai District shall pass final order in this regard after verifying all the relevant records within a period of three months from the date of receipt of a copy of this



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order. The benefits payable by the appellant / management shall be settled within a period of eight weeks from the date of receipt of a copy of this order.

5.The order of the learned Single Judge is modified and the writ appeal is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

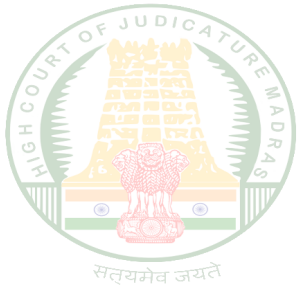
(G.R.S. J.) & (K.R.S. J.)
31.07.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

- 1.The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.
- 2.The Joint Director (Personnel),
Commissionerate of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai - 600 006.
- 3.The Chief Educational Officer,
Sivagangai District,
Sivagangai.
- 4.The District Educational Officer (Secondary Education),
Sivagangai District.

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