

W.P.(MD)No.28756 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.07.2026**

CORAM

THE HONOURABLE **MR.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.(MD)No.28756 of 2024

Dr.P.Govindasamy

... Petitioner

vs.

1.The State of Tamil Nadu,
Through its Secretary to Government,
Tamil Development Department,
Fort St.George,
Chennai.

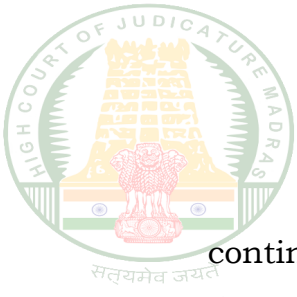
2.The Director,
Tamil Development Department,
Thamizh Salai, Egmore,
Chennai.

3.The Tamil University,
Through its Registrar,
Thanjavur.

4.The Assistant Director of Local Fund Audit,
Tamil University,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the 3rd respondent herein to disburse all the retiral benefits due to the petitioner within the time stipulated by this Court with interest at the rate fixed by this Court from the date when it became due till actual payment and



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continue to pay him the monthly pension, all calculated on the last drawn scale of the petitioner viz Rs 1,77,400/-.

For Petitioner : Mr.V.R.Shanmuganathan
For R-1 & R-2 : Mr.C.Jeganathan
Counsel for Government of Tamil Nadu
For R-3 : Mr.O.R.Gokul Abimanyu
For M/s.C.Arulvadivel Associates

ORDER

Heard Mr.V.R.Shanmuganathan, learned Counsel for the Petitioner, Mr.C.Jeganathan, learned Counsel for Government of Tamil Nadu, who takes notice for Respondents 1 and 2 and Mr.O.R.Gokul Abimanyu, learned Counsel for M/s.C.Arulvadivel Associates for the 3rd Respondent.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, directing the 3rd respondent herein to disburse all the retiral benefits due to the petitioner with interest at the rate fixed by this Court from the date when it became due till actual payment and continue to pay him the monthly pension, all calculated on the last drawn scale of the petitioner viz Rs 1,77,400/-.

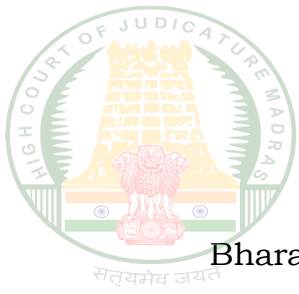


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3. The petitioner herein originally joined the service of the 3rd respondent University as a Manager on 27.07.1988 on consolidated pay. Thereafter, he worked as a Research Assistant in various departments of the said University, again on consolidated pay, from 04.10.1989 to 30.12.1992. Thereafter, he was brought under the time scale of pay in the post of Research Assistant in the Department of Drama with effect from 30.12.1992. It was thereafter that the petitioner was appointed as an Assistant Professor (Lecturer) in the 3rd respondent University on 25.06.2007.

4. While so, he was appointed as the Director of Students' Counselling and Grievance Cell in Bharathidasan University and accordingly joined the said post, while maintaining lien in the 3rd respondent University, initially for a period of one year, which was later extended till 09.12.2015. At this stage, a dispute arose with regard to the extension of his lien, which was rejected by the 3rd respondent University. Consequently, the petitioner was relieved from Bharathidasan University. The same became the subject matter of litigation before this Court in W.P.(MD)No.21749 of 2015, and by virtue of the interim order passed therein, the petitioner continued in



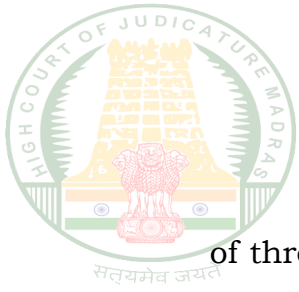
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Bharathidasan University till 04.12.2018. Thereafter, the said Writ Petition was closed as withdrawn.

5. At that stage, the 3rd respondent University undertook direct recruitment to the post of Professor. Accordingly, the petitioner participated in the said recruitment process and was appointed as a Professor in the 3rd respondent University. He thereafter worked in the 3rd respondent University till he attained the age of superannuation on 30.06.2021.

6. Thereafter, the petitioner was paid 50% of the terminal benefits and was sanctioned monthly pension at the rate of Rs.72,100/-. Immediately after his superannuation, the pension was reduced to Rs.36,050/-, and the same was subsequently stopped from the year 2024 onwards. Hence, the petitioner has approached this Court by filing the present Writ Petition seeking disbursement of the terminal benefits, pension, and other retirement benefits.

7. The 3rd respondent filed a counter affidavit contending that the petitioner is entitled to retain lien in the post of Assistant Professor in the 3rd respondent University only for a maximum period



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of three years and that the petitioner had continued in Bharathidasan University beyond the said period of three years. Therefore, in the light of the service rendered by the petitioner in various posts in the 3rd respondent University, the 3rd respondent University sought a clarification from the Government, and it is for want of such clarification that the pension and other retirement benefits of the petitioner were withheld.

8. It is further stated that the Government clarified the issues vide letter dated 05.07.2024 and that, in terms of the said clarification issued by the Government, the respondent University has to take a decision regarding the petitioner's entitlement to the release of the balance 50% of the terminal benefits, pension, and other retirement benefits.

9. The learned Counsel for the 3rd respondent also submits that the respondent University would take an appropriate decision, pursuant to the clarification issued by the Government on 05.07.2024, as expeditiously as possible.



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10. In the light of the above and taking into consideration that the issue relating to the service rendered by the petitioner as Director in Bharathidasan University, while maintaining lien in the post of Assistant Professor in the 3rd respondent University beyond a period of three years, is required to be decided by the Syndicate of the 3rd respondent, this Court is of the considered view that the case requires consideration and that the 3rd respondent should be directed to pass appropriate orders regarding the petitioner's entitlement to the release of the balance 50% of the terminal benefits and also the release of pension.

11. In the light of the above, the Writ Petition is **disposed of**, directing the 3rd respondent to pass appropriate orders on the claim of the petitioner for the release of the balance 50% of the terminal benefits and also pensionary and other retirement benefits, duly taking into consideration the clarification issued by the Government vide letter dated 05.07.2024, and to pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of six weeks from the date of receipt of a copy of this order.



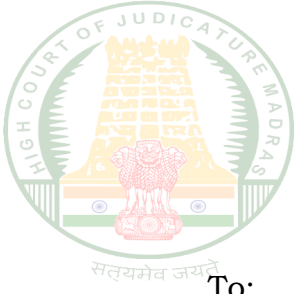
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12. As the petitioner was paid provisional pension immediately after his retirement from service on 30.06.2021 till the year 2024, and the same was abruptly stopped without assigning any reasons and without issuing any proceedings, this Court deems it appropriate to direct the 3rd respondent University to continue to pay the provisional pension at the same rate as was paid to the petitioner till the year 2024, together with the arrears, as expeditiously as possible, at any rate, within a period of four weeks from the date of receipt of a copy of this order

There shall be no order as to costs.

14.07.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr



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MUMMINENI SUDHEER KUMAR, J.

Nsr

Order made in
W.P.(MD)No.28756 of 2024

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