

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2015

CORAM

THE HON'BLE Mr. JUSTICE K.KALYANASUNDARAM

W.P.No.36163 of 2015

Dr.T.H.Isaac Samuel Nayagam

... Petitioner

vs.

1. The Director of Collegiate Education,
College Road,
Chennai 600 006.
 2. The Regional Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli-2.
 3. The Correspondent,
Scott Christian College,
Nagercoil, Kanyakumari District.
- ... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the first respondent to dispose of the petitioner's representation dated 01.04.2015 by calculating the petitioner's salary and pay the same with all arrears on par with other lecturers who got approval of appointment subsequent to the petitioner appointment i.e., 23.01.1993.

For Petitioner : Mr.K.Sathish Kumar

For Respondents : Mr.V.Jayaprakash Narayanan, SGP

O R D E R

Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice for the respondents 1 and 2. By consent, the writ petition is taken up for final disposal at the time of admission itself.

2.The petitioner filed this writ petition, seeking a writ of Mandamus, directing the first respondent to dispose of the petitioner's representation dated 01.04.2015 by calculating his salary and pay the same with all arrears on par with other Lecturers, who got approval of appointment subsequent to the petitioner's appointment i.e., on 23.01.1993.

3. According to the petitioner, he was appointed as Lecturer on 23.01.1993 in the third respondent college. His appointment was approved only from academic year 1995-96 by the first respondent in his proceedings in Rc.No.33891/F4/94 dated 13.02.1997. Subsequently, pursuant to the order dated 23.12.2009 passed by this Court in WP.No.11546 of 1997, which was filed by the petitioner herein, the petitioner's appointment was approved from the date of his appointment i.e., with effect from 23.01.1993. Thereafter, the petitioner retired from service on 31.05.2015.

4. Now the grievance of the petitioner is that though his appointment was approved from the date of his appointment, he has not been paid entire benefits on par with other Lecturers. He submitted a representation dated 01.04.2015 to the first respondent in this regard and the same was not considered so far by the first respondent. Hence, the present writ petition came to be filed.

5. Heard Mr.K.Sathish Kumar, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader for the respondents 1 and 2.

6. Considering the limited scope of the prayer sought for herein, this Court permits the petitioner to submit one more representation to the first respondent by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On receipt of one such representation, the first respondent is directed to dispose of the same, on merits and in accordance with law, within a period of 12 weeks thereafter and communicate the decision to the petitioner. The writ petition is disposed of accordingly. No costs.

rk

-s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1. The Director of Collegiate Education,
College Road,
Chennai 600 006.
2. The Regional Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli-2.

3. The Correspondent,
Scott Christian College,
Nagercoil, Kanyakumari District.

+ 1 cc to Govt.Pleader SR 61743

+ 1 cc to M/s/P.Mahalakshmi, Advocate SR 61472

rv(co)
prk 8/12

WP.No.36163 of 2015



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