

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2016

CORAM:

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Mr. JUSTICE M.VENUGOPAL

W.A.Nos.496, 430 to 432 of 2014

W.A.No. 496 of 2014:

1. Board of Governors
rep. By its Chairman,
National Institute of Technical
Teachers Training and Research,
(Govt. of India, Ministry of Human
Research Development),
Taramani, Chennai 600 113.
 2. The Director,
National Institute of Technical
Teachers Training and Research,
(Govt. of India, Ministry of Human
Research Development),
Taramani, Chennai 600 113.
 3. Dr. S. Mohan, Director,
National Institute of Technical
Teachers Training and Research,
(Govt. of India, Ministry of Human
Research Development),
Taramani, Chennai 600 113.
- Appellants/Respondents
vs.

Dr. T. Gnanasambanthan
EDP Manager,
National Institute of Technical Teachers
Training and Research,
Taramani, Chennai 600 113. Respondent/Petitioner

W.A.Nos. 430 & 432 of 2014:-

1. The Director,
National Institute of Technical
Teachers Training and Research,
Taramani, Chennai 600 113.
2. Board of Directors
rep. By its Chairman,
National Institute of Technical
Teachers Training and Research,
Taramani, Chennai 600 113. ... Appellants/Respondents/
Respondents

Vs.

Dr. T. Gnanasambanthan
No.52, Srinivasa Terrace,
II Main Road, Gandhi Nagar,
Adyar, Chennai.20. Respondent/Respondent/
Petitioner

WP No. 431 of 2014:-

1. The Director,
National Institute of Technical
Teachers Training and Research,
Taramani, Chennai 600 113. ... Appellant/Petitioner/
Respondent-I

Vs.

1. Dr. T. Gnanasambanthan
No.52, Srinivasa Terrace,
II Main Road, Gandhi Nagar,
Adyar, Chennai.20.
2. Board of Directors
rep. By its Chairman,
National Institute of Technical
Teachers Training and Research,
Taramani, Chennai 600 113. ... Respondents/Respondent/
2nd Respondent

Writ Appeal No.496 of 2014 is filed under clause 15 of Letters Patent against the order dated 31.01.2014 made in WP.No.18450 of 2010.

WP.No.18450 of 2010 is filed seeking a Writ of Certiorarified Mandamus calling for the records relating to the orders of the second respondent in his proceedings in Ref.Estt/6th CPC/faculty 2010-2011, dated 05.05.2010 and

Ref.Estt/6th CPC/Recovery/2010-2011 dated 19.07.2010 and quash the same and direct the respondents 1 and 2 to restore the pay scale of the Petitioner in the cadre of Professor (Academic Side) with Academic Grade pay (AGP) applicable to the said cadre with all Consequential benefits.

Writ Appeal NO.430 to 432 of 2014 are filed under clause 15 of Letters Patent against the order dated 31.01.2014 made in MP.Nos.1 to 3 of 2013 in WP.No.26549 of 2013.

Prayer in MP.Nos.1 to 3 of 2013 in WP.No.26549/2013:

MP.Nos.1 to 3 of 2013 in WP.No.26549 of 2003 are filed seeking:

i) To stay the operation and all further proceedings pursuant to the impugned memorandum Ref. Estt/ TGS/SA/2013 dt 8.8.2013 of the first respondent, pending finalisation of the above Writ Petition.

ii) To vacate the interim stay dated 24.09.2013 in MP.No.1 of 2013 in WP.NO.26549 of 2013 and

iii) To pass an order of ad-interim direction directing the respondents to forthwith continue the petitioner as professor/EDP Manager without reference to the proceedings made in No.Estt/TGS/2013-14/1147 dated 30.10.2013 of the first respondent, pending finalisation of the above Writ Petition.

Prayer in WP No.26549 of 2013: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari and Mandamus calling for records relating to the 1st respondents impugned memorandum Ref. Estt/ TGS/SA/2013 dt 8.8.2013 quash the same and consequently direct the respondents to continue the petitioner as Professor on the basis of the appointment made in Advertisement No.1/1994 and to extend all benefits including continuance upto the age of 65 years as applicable to the Professors/Academic category

For appellants

Mr. A. Mohan

For Respondents

Mr.L. Chandrakumar

- - - - -

COMMON JUDGMENT

(delivered by SATISH K.AGNIHOTRI, J.)

Learned counsel for the appellants submits that the learned Single Judge, while allowing the writ petition in WP No. 18450 of 2010, has imposed costs of Rs.20,000/- recoverable from the then Director of the Institute, for which, separate writ appeal has been filed. He further submits that the withdrawal of these writ appeals may not come in the way of disposal of the said appeal and has also made an endorsement seeking permission to withdraw the writ appeals, as under:

" I hereby withdraw the W.A.No. 430 - 432 and 496 of 2014."

2 Recording the aforesaid submission, we permit the appellants to withdraw the writ appeals as an endorsement to that effect has been made. Accordingly, these writ appeals are dismissed as withdrawn. Consequently, connected miscellaneous petitions are dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ra

To

1. Board of Governors
rep. By its Chairman,
National Institute of Technical
Teachers Training and Research,
(Govt. of India, Ministry of Human
Research Development),
Taramani, Chennai 600 113.
2. The Director,
National Institute of Technical
Teachers Training and Research,
(Govt. of India, Ministry of Human
Research Development),
Taramani, Chennai 600 113.

3.National Institute of Technical Teachers
Training and Research Taramani
Chennai-600 113

4.The Board of Directors, rep.by
its chairman National Institute of
Technical Teachers Training and
Research Taramani
Chennai-113

+1 cc to Mr.L.Chandrakumar Advocate sr.22302

W.A.Nos.496, 430 to 432 of 2014

aa27/04/2016



WEB COPY