

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.16471 OF 2005

AND

WRIT PETITION NO.16548 OF 2007

COMMON ORDER:

In W.P. No.16471 of 2005, the petitioners sought a direction to the respondents to pay salaries due to them in the revised scales prescribed under the Revised Pay Scales, 1999 with all consequential benefits, such as arrears of pay. By the order in WPMP No.20920 of 2005 dated 10.04.2007, this Court directed the respondents to consider payment of salaries to the petitioners from August, 2003 to August, 2006, if they were eligible as per law, within a period of six weeks from the date of receipt of a copy of the order.

Dr. P.B. Vijaya Kumar, Learned Counsel for the petitioners, would submit that, pursuant to the interim order, the petitioners have not been paid the revised pay scales.

The relief sought for in WP No.16548 of 2007, by one of the petitioners in W.P. No.16471 of 2005, is to declare the action of the respondent-junior college in retrenching her services, and the approval obtained by the management, as arbitrary and illegal. By order, in WPMP No.21051 of 2007 dated 03.08.2007, the petitioner was directed to be continued in service.

Dr.P.B. Vijaya Kumar, Learned Counsel for the petitioner, states that the petitioner in W.P. No.16548 of 2007 resigned from service in the year 2008. In the affidavit, filed in support of this Writ Petition, the petitioner asserted that her services were

retrenched by the 2nd respondent enclosing a cheque of Rs.10682/- representing notice pay, but without paying retrenchment benefits or arrears of salary. No counter affidavit has been filed by the respondents, nor are the respondents represented by Counsel before this Court today.

I consider it appropriate, therefore, to permit the petitioners to submit a representation to the respondent-Junior college regarding their claims for payment of arrears of salary, revised pay scales and retrenchment compensation. On such an application being submitted by them, the 1st respondent-junior college shall consider the same in accordance with law, pass a reasoned order, and communicate the same to the petitioner within one month from the date of receipt of the representation. In case it is found that the petitioner is entitled to the monetary benefits claimed in these writ petitions, the respondent-junior college shall pay them the said amount within three months from the date of receipt of the petitioners representation.

Both the Writ Petitions are, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 04.11.2016.

MRKR

