

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.4088 of 2017

and

W.M.P.Nos.4235 and 4236 of 2017

- 1.N.Deepa Rakha Suresh
2. H.Marie Evangeline
3. E.Thenmozhi
4. R.Hemalatha
5. B.Joice Dayana Stephy
6. R.Swedha
7. M.Sangeetha

...Petitioners

Vs

- 1.The Secretary,
Ministry of Higher Education,
Govt. of Tamil Nadu,
Tamil Nadu, Secretariat,
Fort St.George,
Chennai - 600 009.
2. The Director,
Directorate of Technical Education,
Sardar Patel Road,
Anna University, Kotturpuram,
Chennai - 600 025.
3. The Registrar,
Anna University,
Sardar Patel Road,
Guindy,
Chennai - 600 025.
4. The Chairman,
Administrative Office,
JDN Educational Trust,
No.55/2, Buckingham Terrace,
No.55, Mc.Nichols Road,
Chetpet,
Chennai - 600 031.

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5. The Chairman,
Magna College of Engineering,
Redhills, Thiruvallur High Road,
Magaral, Chennai - 600 055

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 4th and 5th respondents to release the pending salary of the petitioners and return their original educational certificates and issue service certificate forthwith as already request made by the petitioners vide their representation dated 09.02.2017.

For Petitioners: Mrs.R.Meenakshi

For respondents: Mr.K.Dhananjayan,
Special Government Pleader
for R1 & R2
Mr.L.P.Shanmugasundaram,
Special Government Pleader for R3.

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, Special Government Pleader accepts notice on behalf of 1st and 2nd respondents and Mr.L.P.Shanmugasundaram, learned Special Government Pleader accepts notice on behalf of 3rd respondent.

2. The petitioners would aver that the 4th respondent Engineering College managed by JDN Educational Trust came into being in the year 1999 and established by Thiru.J.Devadas Nayagam and it was also recognised by the Government of India, by proceedings dated 29.12.1997 in L.No.33237/JI/97, and it is also approved by All India Council of Technical Education, New Delhi, by F.No.732-52-151 (NDEG) ET/99 dated 13.08.1999. Originally, University of Madras granted affiliation on 31.05.2000 and thereafter, the 3rd respondent granted affiliation for the said College on 13.08.2002 and it is a Christian Minority Un-aided Institution. The petitioner would further aver that they are all Post Graduates in Engineering/Management and they were appointed by the 4th and 5th respondents for various teaching posts with different basic pay and emoluments and initially their salaries were paid regularly and after sometime, their salaries have not been disbursed on time. The petitioners, in this regard, submitted very many representations and the last such representation was given on 09.02.2017 and despite receipt and acknowledgement,

the Institution is yet to respond and therefore, they came forward to file this writ petition.

3. Heard the submissions of the learned counsel for the petitioners and Mr.K.Dhananjayan, Special Government Pleader appearing for the 1st and 2nd respondents and Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing for the 3rd respondent.

4. Though the petitioners pray for a larger relief, this Court in the light of the above facts and circumstances, without going into the merits of the claim projected by the petitioners, permit the petitioners to submit individual representation to the respondents 1 to 3 as well as the All India Counsel of Technical Education, New Delhi, within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same, the respondents 1 to 3 as well as the All India Counsel of Technical Education, is directed to consider the said representations on merits and in accordance with law after putting the 4th and 5th respondents on notice and pass appropriate orders within a period of eight weeks thereafter and communicate the decision taken to the petitioner as well as the 4th and 5th respondents. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary,
Ministry of Higher Education,
Govt. of Tamil Nadu,
Tamil Nadu, Secretariat,
Fort St.George,
Chennai - 600 009.

2. The Director,
Directorate of Technical Education,
Sardar Patel Road,
Anna University, Kotturpuram,
Chennai - 600 025.

3. The Registrar,
Anna University,
Sardar Patel Road,
Guindy,
Chennai - 600 025.

4. The Chairman,
Administrative Office,
JDN Educational Trust,
No.55/2, Buckingham Terrace,
No.55, Mc.Nichols Road,
Chetpet,
Chennai - 600 031.

5. The Chairman,
Magna College of Engineering,
Redhills, Thiruvallur High Road,
Magaral, Chennai - 600 055.

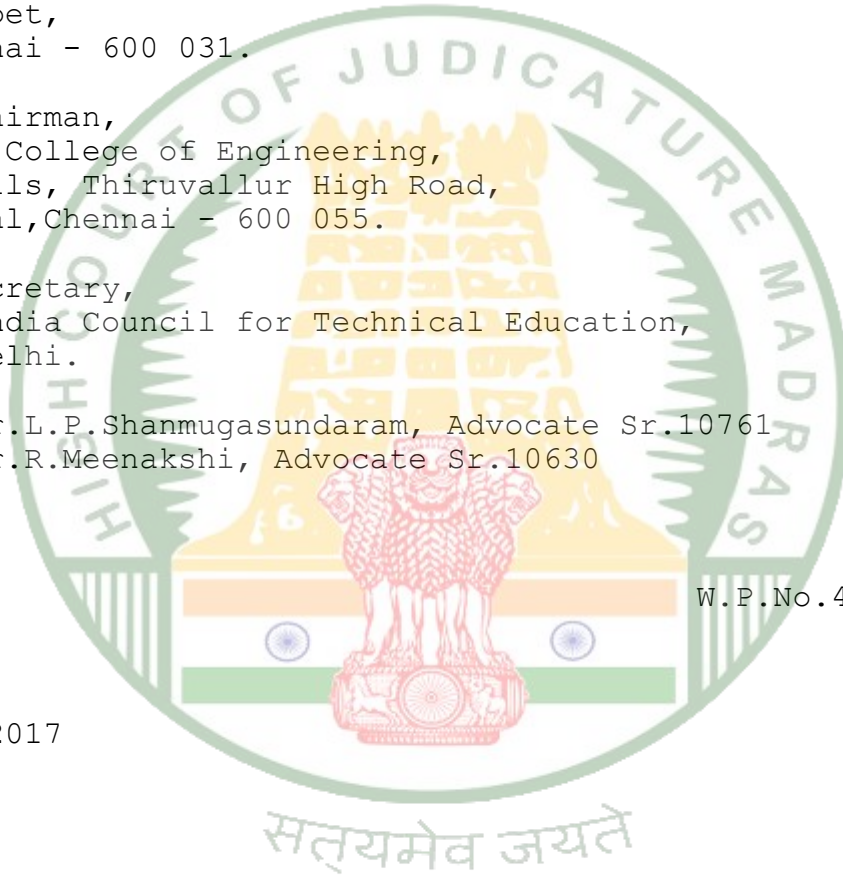
6. The Secretary,
All India Council for Technical Education,
New Delhi.

+1cc to Mr.L.P.Shanmugasundaram, Advocate Sr.10761

+1cc to Mr.R.Meenakshi, Advocate Sr.10630

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srg 22/2/2017



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