

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.30741 of 2017  
and WMP.No.33648 of 2017

T.Thegaleesan

...Petitioner

Vs.

1. The Principal Secretary to Government  
Higher Education Department  
Fort St.George  
Chennai
2. The Director of Collegiate Education  
Chennai-6
3. The Registrar  
Annamalai University  
Chidambaram
4. The Principal,  
Muthurangam Govt.Arts College  
Vellore

...Respondents

Prayer :- Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the 4<sup>th</sup> respondent in Na.Ka.No.925/A/2017 dated 02.11.2017 and quash the same and thereby, direct the respondents to pay the petitioner the salary and other allowances from August 2017 till date as like any other Assistant Professor with all attendant benefits and also direct the 4<sup>th</sup> respondent to pay compensation to the petitioner at Rs.5 lakhs for illegally stopping the salary of the petitioner.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.R.A.S.Senthilvel, Addl Govt.Pleader  
for R1 and R2.  
Mr.R.Munusamy for R3

O R D E R

This Writ Petition is directed against the simple show cause notice dated 02.11.2017 issued against the petitioner with a direction to submit his explanation to the allegations mentioned therein within 15 days. In the penultimate paragraph of the said show cause notice, it has been mentioned that after receipt of the explanation, the payment of salary of the petitioner would be considered.

2. The learned counsel for the petitioner submitted that without passing any final order, the 4<sup>th</sup> respondent cannot come to a conclusion that no salary of the petitioner would be paid.

3. I do not find any justification to entertain the Writ Petition challenging only show cause notice. The order does not say that the petitioner will not be paid with salary, but, the petitioner being irregular, for the purpose of getting explanation to the show cause notice, the 4<sup>th</sup> respondent has indicated that the petitioner's salary will be paid after the receipt of the explanation to the show cause notice.

4. The learned counsel for the petitioner further submits that explanation has already been given by the Petitioner. In that view of the matter, the 4<sup>th</sup> respondent is directed to consider the said explanation and do the needful. Since the petitioner has submitted his explanation to the show cause notice, the 4<sup>th</sup> respondent shall pay the salary.

5. The Writ Petition is dismissed with the above observation. No costs. Consequently, connected MP is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

nvsri

To

1. The Principal Secretary to Government  
Higher Education Department  
Fort St.George, Chennai.
2. The Director of Collegiate Education  
Chennai-6.

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3. The Registrar  
Annamalai University,  
Chidambaram.

4. The Principal,  
Muthurangam Govt.Arts College,  
Vellore.

+1cc to Mr.N.Suresh, Advocate, S.R.No.84785  
+1cc to Mr.R.Munusamy, Advocate, S.R.No.84844  
+1cc to the Government Pleader, S.R.No.85090

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CS/13/12/17



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