

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.Nos.242 & 243/2017

P.Subramaniyan .. Petitioner in WP.No.242/2017
R.Amibga .. Petitioner in WP.No.243/2017

Vs

- 1.The Principal Secretary to Government
Department of Higher Education,
Fort St George, Chennai 600 009.
- 2.The Vice Chancellor
Thiruvalluvar University
Serkadu 632 115.
- 3.The Registrar
Thiruvalluvar University
Serkadu 632 115, Vellore District.
- 4.The Principal
Thiruvalluvar University Constituent College
Tittagudi, Cuddalore District. .. Respondents in
both WPs

Common Prayer:- Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 3rd respondent to pay salary to the petitioners from 16.06.2016 to date, based on the petitioners' representations dated 12.11.2016 within a time frame to be fixed by this Court.

For Petitioners in
both WPs : Mr.S.Sathiachandran
For R1 in both WPs: Mr.O.Selvam, GA
For RR2 to 4 in
both WPs : Mr.V.Gangadharan

COMMON ORDER

By consent, the writ petition is taken up for final disposal. Mr.O.Selvam, learned Government Advocate accepts notice on behalf of the 1st respondent and Mr.V.Gangadharan, learned Counsel accepts notice on behalf of the respondents 2 to 4.

2 The petitioner in WP.No.242/2017 would state that he is a Ph.D., holder and he was one among the applicants who had applied for the post of Assistant Professor of Tamil and he has been working in the Constituent College of Thiruvalluvar University, Tittagudi, since 26.08.2013 and not satisfied with the manner in which the interview was conducted, he filed WP.No.950/2016 and an interim direction was granted, directing the respondents therein to reserve one post in the category of Assistant Professor of Tamil till the disposal of the said writ petition. However, the 3rd respondent, in violation of the interim orders passed by this Court, has filled up the 12 posts except one post and aggrieved by the same, filed Contempt petition in Cont.P.593/2016. The petitioner would further submit that the petitioner is still working as a Guest Lecturer and on account of the fact that he filed writ petitions against the 3rd respondent / University, his salary was not paid from 16.06.2016 onwards and he was also prevented from attending the College from 14.09.2016 and also not allowed the petitioner to sign the Master's Attendance Register from 08.11.2016 onwards. The petitioner in this regard, has submitted a representation dated 12.11.2016 to the 3rd respondent to pay the salary from 16.06.2016 onwards and though it was received and acknowledged, it is yet to be given disposal and hence, he came forward to file the present writ petition.

3 The petitioner in WP.No.243/2017 would state that she is a Ph.D., holder and he was one among the applicants who had applied for the post of Assistant Professor of Tamil and she has been working as Full Time Guest Lecturer in the Constituent College of Thiruvalluvar University, Tittagudi, since 17.07.2014 and not satisfied with the manner in which the interview was conducted, he file WP.No.952/2016 and an interim direction was granted, directing the respondents therein to reserve one post in the category of Assistant Professor of Tamil till the disposal of the said writ petition. However, the 3rd respondent, in violation of the interim orders passed by this Court, has filled up the 12 posts except one post and aggrieved by the same, filed Contempt petition in Cont.P.593/2016. The petitioner would further submit that on account of the fact that she filed writ petitions against the 3rd respondent / University, her salary was not paid from 16.06.2016 onwards and she was also prevented from attending the College from 14.09.2016 and that she was not allowed to sign the Master's Attendance Register from 08.11.2016 onwards. The petitioner in this regard, has submitted a representation dated 12.11.2016 to the 3rd respondent to pay the salary from 16.06.2016 onwards and though it was received and acknowledged, it is yet to be given disposal and hence, she came forward to file the present writ petition.

4 Heard the submissions of the learned counsel for the petitioners ; Mr.O.Selvam, learned Government Advocate appearing for the 1st respondent and Mr.V.Gangadharan, learned counsel appearing for the respondents 2 to 4.

5 Though the petitioners have prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioners, either in their representations or in these writ petitions, directs the 3rd respondent to consider and dispose of the petitioners' representations dated 12.11.2016 on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order.

6 The writ petitions stand disposed of with the above direction. No costs.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

- 1.The Principal Secretary to Government
Department of Higher Education,
Fort St George, Chennai 600 009.
- 2.The Vice Chancellor
Thiruvalluvar University
Serkadu 632 115.
- 3.The Registrar
Thiruvalluvar University
Serkadu 632 115, Vellore District.
- 4.The Principal
Thiruvalluvar University Constituent College
Tittagudi, Cuddalore District.

+1 cc to Mr.S.Sathiachandran, advocate, sr.938

+1 cc to Mr.V.Gangadharan, advocate, sr.1328

+1 cc to Govt.Pleader, sr.1651.

ca(co)

krd 10/1

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