

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.25697 of 2013

and

M.P.Nos.1 to 4 of 2013 and 1 & 2 of 2015

and

Cont.Petition No.2925 of 2016

W.P.No.25697 of 2013

M.Parasar Pandya

.... Petitioner

-Vs-

1. Director of Collegiate Education
College Road, Chennai
2. Joint Director of College Education
Coimbatore
3. The Secretary
Sree Saraswathy Thiyagaraja College
Pollachi, Coimbatore District
4. The Principal
Sree Saraswathy Thiyagaraja College
Pollachi, Coimbatore District
5. Mr.Ravichandran
Enquiry Officer
4, Udumalpet Road
Pollachi 642 001.

...Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus calling for records pertaining to the proceedings of the 3rd respondent dated 14.08.2013 quash the same and direct the 3rd respondent to pay the salary to the petitioner for the period 01.10.2012 to 14.08.2013.

For Petitioner : R.Subramanian

For Respondents: Mr.M.Elumalai, for R1 & R2

Mr.K.Shakespeare, for R3 to R5

Cont. Petition No.2925 of 2015

M.Parasar Pandya ... Petitioner/Petitioner/Petitioner

-Vs-

1. M.A.Vijaymogun
The Secretary
Sree Saraswathy Thiyagaraja College
Pollachi, Coimbatore District

2. Venkateswaran
The Principal
Sree Saraswathy Thiyagaraja College
Pollachi, Coimbatore District

...Respondents 1 & 2/Respondents 3 & 4/
Respondents 3 & 4

Prayer:

Petition filed under Section 11 of Contempt of Courts Act to punish the respondents 1 and 2 for disobeying the order dated 16.09.2013 in M.P.No.3 of 2013 in W.P.No.25967 of 2013 on the file of the High Court, Madras.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.K.Shakespeare, for R1 & R2

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COMMON ORDER

The petitioner has been working as lecturer in English Department in the 4th respondent College from 01.09.1997 onwards. It is alleged that the petitioner took away the staff salary acquittance register and in view of same disciplinary proceedings has been initiated against the petitioner. By virtue of the impugned order dated 14.08.2013, the petitioner was also suspended from the College. The said order is challenged by the

petitioner who seeks further direction to the third respondent to pay the salary payable to him for the period 01.10.2012 to 14.08.2013 as Associate Professor in English.

2.Considering the nature of dispute between the parties, this Court suggested the parties to settle the matter. With the active cooperation of the learned counsels appearing for both the parties, the issue has been sorted out and a joint memo of compromise dated 25.07.2017 signed by the petitioner as well as the third respondent and counter signed by the respective counsels has been filed before this Court.

3.As per clause 2 of the joint memo of compromise, the petitioner shall be paid a lump sum of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) towards the salary and other amounts payable to him; the third respondent had agreed to issue service certificate to the petitioner for the entire period of service rendered by him and also undertakes to close the disciplinary proceedings initiated against the petitioner.

4.Further, it is agreed by the parties who is present before this Court that the petitioner shall report before the third respondent on 02.08.2017 at 11.00 A.M and tender his resignation letter and consequent to the same, the third respondent shall pay the entire amount as agreed between the parties by virtue of the joint memo of compromise on the same date and also issue the service certificate.

5.In view of the settlement of the entire issue, by way of joint memo of compromise dated 25.07.2017, the present writ petition stands disposed of. The joint memo of compromise shall form part of the order. Consequently, the contempt petition is also closed. Miscellaneous petitions are also closed. No costs.

Encl:Joint Memo of Compromise

Dated 25/07/2017

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

pgp

To

1. Director of Collegiate Education
College Road, Chennai
2. Joint Director of College Education
Coimbatore

copy to:

1. Sub Assistant Registrar(Original Side)
High Court,Madras.

+1cc to M/s.R.Subramanian,Advocate,S.R.No.52662

+1cc to the Government Pleader,S.R.No.52724

W.P.No.25697 of 2013
and
M.P.Nos.1 to 4 of 2013 and 1 & 2 of 2015
and
Cont.Petition No.2925 of 2016

GMI (CO)
CU(01/08/2017)



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