



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2017

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. (MD) .No.3944 of 2017

and

W.M.P. (MD) No.3129 of 2017

Subramanian

.. Petitioner

Vs.

1. The Registrar,
Madurai Kamaraj University,
Madurai.

2. The Vice Chancellor,
Madurai Kamaraj University,
Madurai.

3. The Director of Local Fund Audit,
Kuralagam, IV Floor,
Chennai - 18.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the back wages of the regularized services of the petitioner from the period of suspension i.e., from 27.08.1990 till retirement by considering the petitioner's representation, dated 24.06.2016 and to pass such further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.S.M.A.Jinnah
For R-1 & R-2 : Mr.R.M.Makesh Kumaravel
Standing Counsel
For R-3 : Mr.V.Pandi
Government Advocate

O R D E R

The prayer in the Writ petition is for issuing a direction directing the respondents to pay the back wages of the regularized services of the petitioner from the period of suspension i.e., from 27.08.1990 till retirement by considering the petitioner's representation, dated 24.06.2016.



2. Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for the respondents 1 and 2 and the learned Government Advocate appearing for the third respondent.

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3. Mr.R.M.Makesh Kumaravel, learned Standing counsel takes notice for the respondents 1 and 2 and Mr.V.Pandi, learned Government Advocate, takes notices for the third respondent. By consent, the Writ petition itself is taken up for final disposal.

4. In this regard, the petitioner brought to the notice of this Court that the petitioner has also made a representation, dated 24.06.2016. However the learned counsel appearing for the respondents would submit that the petitioner's representation dated 24.06.2016 is not in consonance with the prayer, he sought for in present Writ petition.

5. Considering the limited scope of prayer in the Writ petition, without expressing any opinion on the merits of the matter, this Court is inclined to pass the following order:-

The respondents 1 and 2 are directed to consider the representation, dated 24.06.2016 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. It is open to the petitioner to submit a fresh representation within a period of two weeks from the date of receipt of a copy of this order, in case, it is necessary for the petitioner to clarify the scope of the representation already submitted on 24.06.2016. A fresh representation also shall be considered by the respondents 1 and 2 along with representation, dated 24.06.2016.

6. Accordingly, the Writ petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD II)

/True Copy/

Sub Assistant Registrar

To

1.The Registrar,
Madurai Kamaraj University,
Madurai.



2. The Vice Chancellor,
Madurai Kamaraj University,
Madurai.

3. The Director of Local Fund Audit,
Kuralagam, IV Floor,
Chennai - 18.

+1cc to Mr.S.M.A.JINNAH, Advocate Sr.No. 13107
+1cc to Mr.R.M.MAKESH KUMARAVEL, Advocate Sr.No. 12835
+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 13163

pmu
AE/SV MMS/15.03.2017/3P/7C

ORDER MADE IN
W.P. (MD) .No.3944 of 2017
and
W.M.P. (MD) No.3129 of 2017
07.03.2017