



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.3945 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, IVth Floor,
Chennai - 600 018.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to treat the period of termination and reinstatement between 30.06.2003 and 18.04.2004 as a period spent on duty for a total period of 9 months and 18 days and to pay the salary and other allowance for the same to the petitioner with 12% interest.

For Petitioner : Mr.S.M.A.Jinnah,

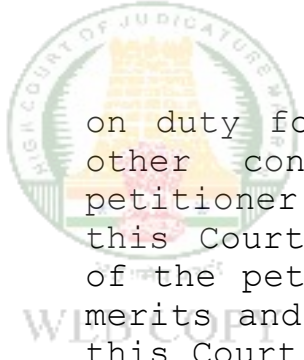
For Respondents : Mr.R.M.Makesh Kumaravel,
Standing Counsel for Madurai
Kamaraj University

O R D E R

This writ petition is for directing the respondents to treat the period of termination and reinstatement as a period spent on duty.

2.Heard Mr.S.M.A.Jinnah, learned counsel appearing for the petitioner and Mr.R.M.Makesh Kumaravel, learned standing counsel appearing for the respondents.

<https://hcservices.co.in/showingitservices> The petitioner has prayed for a positive direction to the respondents to treat the period of termination and reinstatement between 30.06.2003 and 18.04.2004 as a period spent



on duty for a total period of nine months and eighteen days and other consequential benefits, the learned counsel for the petitioner submitted, that the petitioner would be satisfied, if this Court directs the respondent to consider the representation of the petitioner dated 24.06.2016 and pass appropriate orders on merits and in accordance with law within the period stipulated by this Court.

4.The learned counsel for the petitioner also submitted that this Court has earlier passed an order on 14.02.2017 in a batch of similar cases directing the respondents to consider the request of the petitioners, in the light of the judgment of this Court made in W.P.(MD)No.10382 of 2007 dated 26.11.2008. The learned counsel further requested that the petitioner may also be permitted to file a fresh representation.

5.Hence, having regard to the limited scope of the prayer now sought for by the petitioner, this Court is inclined to pass the following direction:

"The respondent is directed to consider the request of the petitioner dated 24.06.2016 in the light of the judgment of this Court made in W.P.(MD)No.10382 of 2007 dated 26.11.2008 on merits in accordance with law within a period of two months from the date of receipt of a copy of this order. If any fresh representation is filed, the same also be considered and disposed of along with the representation dated 24.06.2016."

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

1.The Director of Local Fund Audit,
Kuralagam, IVth Floor,
Chennai - 600 018.

+1 CC TO M/S.S.M.A.JINNAH,ADVOCATE, SR NO.17887

+1 CC TO M/S.R.M.MAKESH KUMARAVEL,ADVOCATE,SR NO.17460

KM/MR

MAS/MR:19.04.2017:2P-4C