

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 13.3.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH  
AND  
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.310 of 2018  
and  
C.M.P.Nos.2507 & 2508 of 2018

T.Thegaleesan

Appellant

Versus

- 1 The Principal Secretary to Government  
Higher Education Department  
Fort St. George Chennai
- 2 The Director of Collegiate Education  
Chennai-600 006
- 3 The Registrar  
Annamalai University Chidambaram
- 4 The Principal  
Muthurangam Government Arts College  
Vellore

Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 28.11.2017 passed in W.P.No.30741 of 2017 on the file of this court.

WP.No.30741 of 2017:filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the 4th respondent in Na.Ka. No.925/A/ 2017 dated 2.11.2017 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 4th respondent to pay compensation to the petitioner at Rs.5 lakhs for illegally stopping the salary of the petitioner

For appellant : Mr.N.Suresh  
For RR1 and 2 : Mrs.V.Annalakshmi, Government Advocate  
For R3 : Mr.K.Sathishkumar  
For R4 : No appearance.

#### JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2. The writ appeal has been filed by the writ petitioner challenging the order passed by the learned Single Judge declining to interfere with the impugned show cause notice.

3. It appears that the appellant had challenged the impugned show cause notice issued by the fourth respondent, seeking his explanation for the unauthorised absence and leave alleged to have taken in excess to his credit, while withholding the salary, pending such explanation.

4. The above aspect has been appreciated by the learned Single Judge in para 4 of the order and it is also observed therein that since the appellant had already submitted his explanation it shall be considered by the fourth respondent and salary shall be paid. Therefore, the appellant's rightly to get salary has been protected by the learned Single Judge. Hence, we find no illegality or infirmity in the order passed by the learned Single Judge. The writ appeal is disposed of. If salary is not yet paid, it is for the appellant to initiate contempt proceedings. No costs. The connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ssk.

To:

- 1 The Principal Secretary to Government  
Higher Education Department  
Fort St. George Chennai
- 2 The Director of Collegiate Education  
Chennai-600 006

3 The Registrar  
Annamalai University Chidambaram

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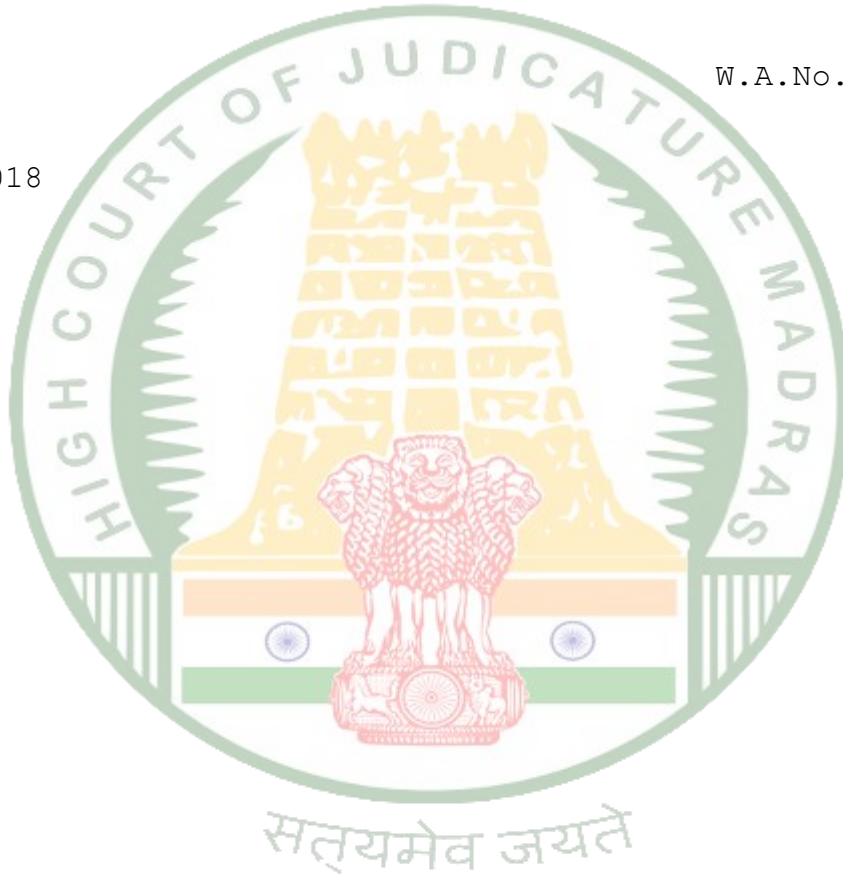
+1 cc to the Govt Pleader sr 19219

+1 cc to M/s.K.Sathish kumar Advocate sr 18758

+1 cc to M/s.N.Suresh Advocate sr 18748

W.A.No.310 of 2018

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