

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.1541 of 2018
and WMP No.1950 of 2018

Mr.K.Maruthachalam,
S/o.Mr.Krishnan

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary
Department of Higher Education,
Secretariat, Fort St. George,
Chennai-600 009.

2. The Registrar,
Anna University,
Chennai 600 025.

3. The Additional Director,
Centre for Constituent Colleges,
Anna University, Sardar Patel Road,
Chennai 600 025.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the petitioner's salary emoluments and benefits along with due increments as per the 7th pay commission on par with all other similarly placed employees directly appointed to the Anna University, Chennai.

For Petitioner : Mrs.N.Kavitha Rameshwar

For Respondents : Mr.R.S.Selvam,

Government Advocate for R1

Mr.M.Vijayakumar for RR2 and 3

W E B C O P Y
O R D E R

The petitioner was originally appointed as a Librarian at Sri Ramakrishna Institute of Technology, Coimbatore, which is approved by AICTE and affiliated to Anna University. The University has issued a notification dated 09.07.2008 calling for applications from eligible candidates for various posts including for the post of Executive Assistant (Administration). Since the petitioner is fully eligible for the said post he has applied for the same and was selected for said post and an

appointment order was also issued on 30.09.2009. He completed probation on 16.10.2010 and the same was declared by the said University on 22.01.2011. In the meantime, the Government of Tamilnadu took a policy decision to merge all the 5 Anna Universities of Technology with the Anna University, Chennai. In order to oversee the process of merger of the universities with the Anna University, Chennai, the State Government appointed a monitoring committee and to submit a report. The said committee also submitted a report. The State Government issued a G.O.Ms.No.452, Higher Education(II) Department dated 20.10.2015, stating that the committee has identified that in both teaching and non-teaching staff categories, there were 'regular appointment' which were in excess of the sanctioned post apart from some appointment classified as 'improper appointments'. In order to safeguard his appointment, the petitioner filed W.P.No.18569 of 2017 and obtained an order of interim stay on 21.07.2017. Now, the grievance of the petitioner is that after the recommendations of 7th pay Commission, the benefits have not been provided to the petitioner and to the similarly placed persons. Therefore, the petitioner has sent a detailed representation dated 12.11.2017, to the respondents seeking payment and also the 7th pay Commission benefits. Since no orders have been passed, the petitioner has filed the present writ petition.

2. Heard both sides.

3. The learned counsel for the petitioner would submit that it would suffice if a direction is issued to the respondents to consider the representation of the petitioner dated 12.11.2017 and pass orders.

4. Thus, without going into the merits of the case, this Court is inclined to direct the respondents to consider the representation of the petitioner dated 12.11.2017 and pass orders on merits and in accordance with law, as expeditiously as possible. For ready reference, the petitioner is directed to send a copy of the representation along with this order copy to the respondents.

5. With the above direction, this writ petition stands disposed of. No costs. Connected miscellaneous petition is also closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The State of Tamil Nadu
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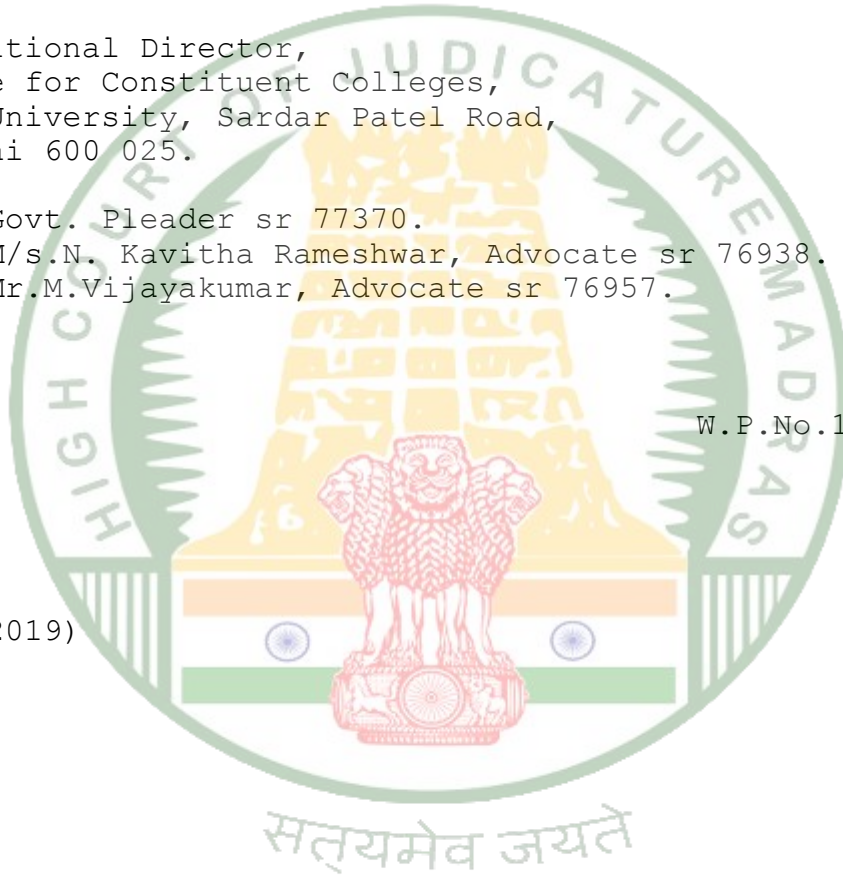
+1 CC to Govt. Pleader sr 77370.

+1 CC to M/s.N. Kavitha Rameshwar, Advocate sr 76938.

+1 CC to Mr.M.Vijayakumar, Advocate sr 76957.

W.P.No.1541 of 2018

VSNI (CO)
SP(23/10/2019)



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