

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.12.2019
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
W.P No.35240 of 2019

Dr.G.Mohanram

Petitioner

vs.

1. The Vice Chancellor,
University of Madras,
Chepauk, Chennai - 600 005.

2. The Registrar,
University of Madras,
Chepauk, Chennai - 600 005.

3. The Secretary to Government,
Department of Higher Education,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to disburse the terminal benefits and other amounts statutorily due to the petitioner together with interest at 18% within the time limit fixed by this Court.

For Petitioner : Mr.M.C.Swamy

For Respondents : Mr.Stalin Abhimanu
Standing Counsel for R1 and R2

Mr.V.Kadhirvel
Special Government Pleader for R3

O R D E R

This writ petition has been filed for issuance of writ of mandamus directing the respondents to disburse the terminal benefits of the petitioner with interest.

2.The case of the petitioner is that he was working in the University of Madras in the post of Professor in the Department of Commerce. The petitioner opted for Voluntary Retirement from service and he submitted an application in the year 2011. His request was not considered favorably and the petitioner was not allowed to retire from his services and he was kept under suspension by an order dated 31.10.2012.

3.It is the further case of the petitioner that the Syndicate of the University of Madras has taken a decision in the meeting held on 16.11.2017 to revoke the suspension against the petitioner and it was also decided to disburse all his terminal benefits. The further claim of the petitioner is that the payment of subsistence allowance was also stopped to the petitioner.

4.The petitioner has made a representation to the respondents on 22.11.2019 seeking for the settlement of all his terminal benefits on the ground that his suspension has been revoked. The grievance of the petitioner is that this representation has not been considered by the respondents and the petitioner has not received any terminal benefits and therefore, he has approached this Court seeking for appropriate directions.

5.Heard Mr.M.Swamy, learned counsel appearing on behalf of the petitioner and Mr.Stalin Abhimanu, learned Standing Counsel appearing on behalf of the 1st and 2nd respondents and Mr.V.Kathirvel, learned Special Government Pleader appearing on behalf of the 3rd respondent.

6.Taking into consideration the facts and circumstances of the case and without going into merits of the case, there shall be a direction to the 2nd respondent to consider the representation made by the petitioner on 22.11.2019 and deal with the same on its own merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with a copy of the earlier representation and also a copy of this order. **"If the petitioner is found to be entitled for the terminal benefits, the same shall be disbursed to the petitioner."**

7.This writ petition is disposed of with the above directions. No Costs.

Sd/-

Assistant Registrar(CS III)

***Added as per order of
this Court dated 20.01.2020
WP.NO.35240/2019**

-s/d-

Assistant Registrar(CSIX)

dt 07/01/2020

//True Copy//

Sub Assistant Registrar

To

1. The Vice Chancellor,
University of Madras,
Chepauk, Chennai - 600 005.
2. The Registrar,
University of Madras,
Chepauk, Chennai - 600 005.
3. The Secretary to Government,
Department of Higher Education,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009

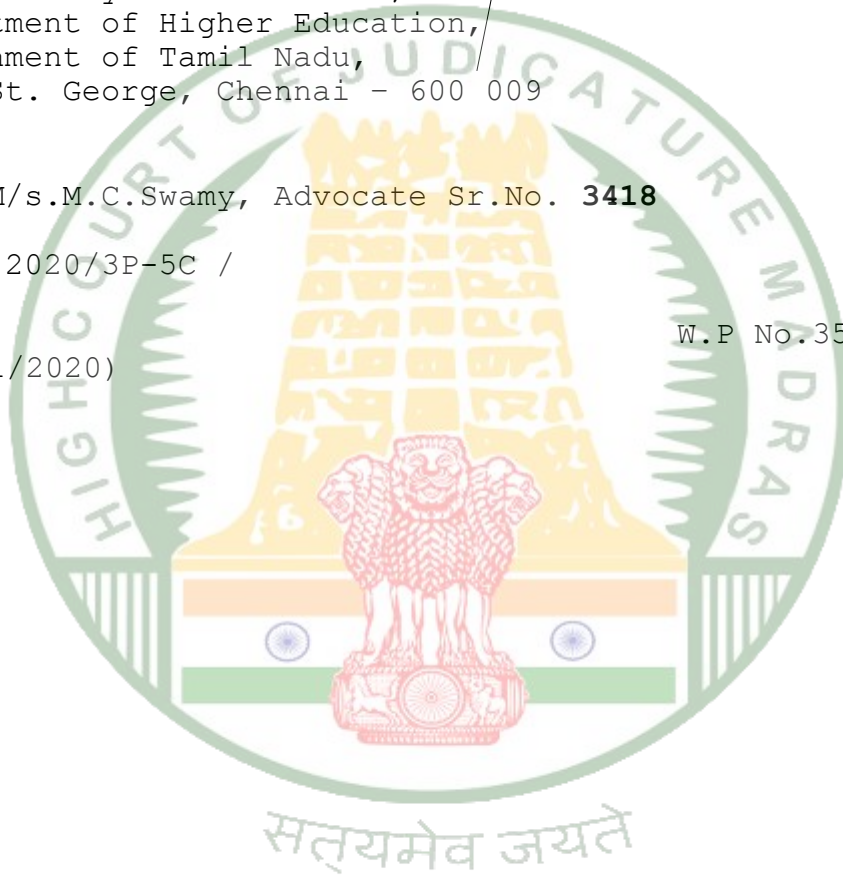
**To be substituted
Amended order
For the order already
despatched on 09/01/2020**

+1 cc to M/s.M.C.Swamy, Advocate Sr.No. 3418

AKM/07.01.2020/3P-5C /

W.P No.35240 of 2019

A.SK(24/01/2020)



WEB COPY