



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

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THE HONOURABLE MR.JUSTICE. R.MAHADEVAN

W.P. (MD) Nos.236 to 239 of 2019

Dr.R.Suresh .. Petitioner in WP (MD) No.236/2019
S.Sunmugavadivoo .. Petitioner in WP (MD) No.237/2019
Dr.M.Rani .. Petitioner in WP (MD) No.238/2019
Dr.S.Jeyasudhan .. Petitioner in WP (MD) No.239/2019

Vs.

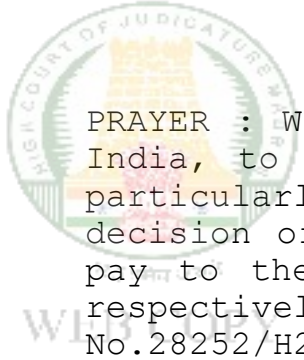
1.The State of Tamil Nadu
rep.by its Principal Secretary,
Higher Education Department,
Secretariat,
Chennai - 600 009.

2.Madurai Kamaraj University,
rep.by its Registrar,
University Complex,
Palkalai Nagar,
Madurai - 625 021.

3.The Vice Chancellor/
Chairman - Convener Committee,
Madurai Kamaraj University,
University Complex,
Palkalai Nagar,
Madurai - 625 021.

4.The Director of Collegiate Education,
Department of Collegiate Education,
Government of Tamil Nadu,
Chennai - 600 006.

.. Respondents in all the writ petitions.



PRAYER : Writ Petitions filed under Article 226 of Constitution of India, to issue a writ of Mandamus directing the respondents more particularly the respondents 2 and 3 to implement the policy decision of the Government to fix the petitioners in time scale of pay to their present posts of Principal and Assistant Professors respectively, based on the Principal Secretary to Government letter No.28252/H2/2006-12 dated 05.09.2011 and syndicate resolution and financial committee approval of Madurai Kamaraj University and the petitioners' representation dated 01.10.2018 and according to law.

For Petitioners : Mr.S.Muthalraj (in all WPs)
 For R1 & R4 : Mr.V.Anand
 Government Advocate
 For R2 & R3 : Mr.K.Ragatheeshkumar
 for M/s.Isaac Chambers
 (in all the writ petitions).

COMMON ORDER

These writ petitions have been filed seeking a direction to the respondents 2 and 3 to implement the policy decision of the Government to fix the time scale of pay of the petitioners to their present posts of Principal and Assistant Professors respectively, based on the letter of the Principal Secretary to Government in Letter No.28252/H2/2006-12 dated 05.09.2011 and syndicate resolution and financial committee approval of Madurai Kamaraj University and also based on the petitioners' representation dated 01.10.2018.

2.Heard the learned counsel for the petitioners; the learned Government Advocate for the respondents 1 and 4 and the learned counsel for the respondents 2 and 3.

3.The case of the petitioners is that they have been working as Principal and Assistant Professors respectively in the Madurai Kamaraj University Constituent College, Andipatti. According to them, the Government has directed the University to fix time scale of pay to the staff members of the said University. But the authorities concerned have not done the same. Hence, the petitioners made a joint representation dated 01.10.2018 to the respondents. Since no action is forthcoming till date, these writ petitions have been filed.

4.The learned Government Advocate for the respondents 1 and 4 and the learned counsel for the respondents 2 and 3 submitted that the representation of the petitioners will be considered in the light of the policy decision of the Government, pursuant to the Government Letter No.28252/H2/2006-12 dated 05.09.2011 and appropriate orders be passed on merits.

5.In view of the above submission, this Court, without going into the merits of the case, directs the respondents 2 and 3 to consider the representation of the petitioners dated 01.10.2018



in the light of the policy decision of the Government, pursuant to the Government Letter No.28252/H2/2006-12 dated 05.09.2011 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners.

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6.The writ petitions are disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

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To

1.The Principal Secretary,
State of Tamil Nadu
Higher Education Department,
Secretariat, Chennai - 600 009.

2. The Registrar,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai - 625 021.

3.The Vice Chancellor,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai - 625 021.

4.The Director of Collegiate Education,
Department of Collegiate Education,
Government of Tamil Nadu,
Chennai - 600 006.

+1 CC to M/s.S.MUTHALRAJ, Advocate (SR-63241[F] dated 27/04/2019)

+1 CC to M/s.SPL GP (SR-63752[F] dated 29/04/2019)

+1 CC to M/s.ISAAC CHAMBERS, Advocate(SR-63901[F] dated 29/04/2019)

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