



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2019

CORAM:

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.18999 of 2019

R.Rathidevi

.. Petitioner

Versus

1. The Government of Tamil Nadu,
Represented by its Principal Secretary to Government,
Higher Education Department,
Fort St. George, Chennai - 9.

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 Principal,
Madurai Kamaraj University Constituent College,
Thirumangalam,
Madurai District - 625 706.

.. Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, to direct the respondents to revise the scale of pay of the petitioner as consolidated pay as was granted in respect of similarly placed persons by the third respondent from the minutes of the meeting of the Syndicate, dated 15.10.2012 w.e.f., the date of the appointment of the petitioner and disburse the arrears of salary with all service and monetary benefits, within the period that may be stipulated by this Court.

For Petitioner : Mr.D.Anbarasu

For R1 : Mr.A.Muthukaruppan
Additional Government Pleader

For R2 to R4 : Mr.Ragatheesh Kumar
for M/s.Isaac Chambers
Standing Counsel



ORDER

This Writ Petition has been filed seeking a direction to the respondents as consolidated pay as was granted in respect of similarly placed persons by the third respondent from the minutes of the meeting of the Syndicate, dated 15.10.2012 w.e.f., the date of the appointment of the petitioner and disburse the arrears of salary with all service and monetary benefits, within the period that may be stipulated by this Court.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the first respondent. Mr.Ragatheesh Kumar, learned Standing Counsel takes notice for the respondents 2 to 4. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, she is working as Guest Lecturer in Madurai Kamaraj University Constituent College, Thirumangalam, from 17.02.2015 onwards. She has made a representation seeking higher pay or consolidated pay, but no order has been passed. In the meantime, the Madurai Kamaraj University has issued a notification for appointment of new Guest Lecturers and their scale of pay was fixed as a consolidated pay. They were given consolidated pay, whereas, the petitioner has been receiving salary on hourly basis. In this regard, the petitioner has made a representation, dated 12.07.2019, requesting respondents to grant consolidated pay, as was granted in respect of similarly placed persons, but, no order has been passed by the respondents so far. Hence, the present Writ Petition.

4.The learned standing counsel appearing for the respondents 2 to 4 would submit that at present, the petitioner is working as a Lecturer on hourly basis and now, she is claiming the scale of pay as consolidated pay and it has to be considered only by the Syndicate of the Madurai Kamaraj University. He would further submit that the petitioner's representation dated 12.07.2019, will be considered by the Syndicate, in accordance with law.

5.Recording the abovesaid statement made by the learned Standing Counsel appearing for the respondents 2 to 4, without expressing any opinion on the merits of the claim made by the petitioner, this Court directs the second respondent to place the representation of the petitioner, dated 12.07.2019, before the University Syndicate, for consideration and the final decision taken on the same, shall be communicated to the petitioner by the second respondent, as early as possible.



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

Sd/-
Assistant Registrar(CS-III)

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Sub Assistant Registrar

To

1.The Principal Secretary to Government of Tamil Nadu,
Higher Education Department,
Fort St. George, Chennai - 9.

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Madurai - 625 706.

+1 CC to M/s.D.ANBARASU, Advocate (SR-84394[F] dated 30/08/2019)
+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-84791[F] dated 03/09/2019)
+1 CC to M/s.SPLGP (SR-84865[F] dated 03/09/2019)

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