



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.21145 of 2019

Dorry Shilajah

... Petitioner

-Vs-

1.The Secretary to Government,
Higher Education (E2) Department,
Fort St. George, Chennai-9.

2.The Director of Collegiate Education,
Nungambakkam, Chennai-6.

3.The Joint Director of Collegiate Education,
Tirunelveli.

4.The Principal,
Women's Christian College,
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to consider the petitioner's representation, dated 21.08.2019 and further direct the respondents 3 and 4 to sanction the petitioner's salary arrears and pension and other pension benefits.

For Petitioner : Mr.V.Rajiv Rufus
For R1 to R3 : Mr.V.Anand,
Government Advocate.

ORDER

This Writ Petition is filed for a direction to the third respondent to consider the petitioner's representation, dated 21.08.2019 and further, to direct the respondents 3 and 4 to sanction the petitioner's salary arrears, pension and other pension benefits.

2.Mr.V.Anand, learned Government Advocate takes notice on behalf of the respondents 1 to 3. Notice to the fourth respondent is dispensed with, since no adverse order is going to be passed against the fourth respondent. 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 joined in the fourth respondent college on 22.06.1985 as Assistant Professor and retired from service on 31.12.2013, on attaining the age of superannuation. The respondents have not paid pension and other retirement benefits. Therefore, the petitioner has made various representations to the respondents from the year 2015. The first respondent, by the proceedings dated 30.12.2015, has ordered to treat the period, in which the petitioner was absent as a loss of pay. Even after that the respondents have not settled the arrears of salary, pension and other retirement benefits. He sent a representation, dated 21.08.2019, to the respondents. However, the same has not been considered by the respondents. Hence, the petitioner has come out with the present Writ Petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3.

5. Considering the materials on record and the relief sought for in the Writ Petition, without deciding the issues on merits, the second respondent is directed to consider the representation of the petitioner, dated 21.08.2019, on merits and pass orders in accordance with law, in the light of the proceedings dated 30.12.2015, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Secretary to Government,
Higher Education (E2) Department,
Fort St. George, Chennai-9.

2. The Director of Collegiate Education,
Nungambakkam, Chennai-6.



3.The Joint Director of Collegiate Education,
Tirunelveli.

+1CC TO MR.V.RAJIV RUFUS, Advocate Sr. No.91121
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 91370

W.P. (MD) No.21145 of 2019
03.10.2019

CS (CO)
TR (16.10.2019) 3P 6C