



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.20954 of 2019

WEB COPY

S.Ponnuraj
Reader in Commerce (Retired)
Sri.S.Ramasamy Naidu Memorial College
Sattur
Virudhunagar District

... Petitioner

-Vs-

1. The Principal Secretary
Higher Education Department
Secretariat
Chennai 600 009
2. The Director of Collegiate Education
College Road
Nungambakkam
Chennai 600 006
3. The Regional Joint Director of Collegiate Education
Madurai Region
Madurai 625 020
4. The Principal Accountant General (A&E)
361, Anna Salai
Chennai 600 018
5. The Secretary
Sri.S.Ramasamy Naidu Memorial College
Sattur
Virudhunagar District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to send his proposal to the first respondent in regard to fixation of the petitioner's pay on par with his junior Dr.S.Mathivanan and thereby, direct the first respondent to ratify the same and pay all arrears and monetary benefits with effect from 01.09.2008 based on the proceedings of the 4th respondent passed in No.P25/5/12519252/ADK/483, dated 08.01.2019 and in No.P25/2/12520261/ADK, dated 31.07.2019, within the time limit that may be stipulated by this Court.



For Petitioner : Ms.M.Anbarasi
For R1 to R3 : Mr.V.R.Shanmuganathan
Special Government Pleader
For R4 : Mr.P.Gunasekaran

WEB COPY

ORDER

The writ petition has been filed for a direction to the 3rd respondent to send the petitioner's proposal with regard to fixation of the petitioner's pay on par with his junior Dr.S.Mathivanan to the first respondent and thereby, direct the first respondent to ratify the same and pay all arrears and monetary benefits with effect from 01.09.2008 based on the proceedings of the 4th respondent passed in No.P25/5/12519252/ADK/483, dated 08.01.2019 and in No.P25/2/12520261/ADK, dated 31.07.2019, within the time limit that may be stipulated by this Court.

2.After elaborate arguments, the learned counsel appearing for the petitioner submitted that it would suffice, if a direction is issued to the first respondent to consider the representation of the petitioner, dated 16.05.2013, which was sent to the first respondent, within a stipulated time that may be fixed by this Court.

3.In view of the abovesaid submission, without deciding the issue on merits, the petitioner is directed to send a fresh representation to the respondents within a period of two weeks from the date of receipt of a copy of this order. On such representation, the first respondent is directed to consider the representation of the petitioner and pass orders on merits and in accordance with law, within a period of twelve (12) weeks, thereafter.

4.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Principal Secretary
Higher Education Department
Secretariat
Chennai 600 009



2. The Director of Collegiate Education
College Road
Nungambakkam
Chennai 600 006

3. The Regional Joint Director of Collegiate Education
Madurai Region
Madurai 625 020

4. The Principal Accountant General (A&E)
361, Anna Salai
Chennai 600 018

+1 CC to Mr.P.GUNASEKARAN, Advocate (SR-90290[F] dated 30/09/2019)
+1 CC to SPL GP (SR-90577[F] dated 30/09/2019)
+1 CC to Mr.G.THALAIMUTHARASU, Advocate (SR-90802[F] dated
01/10/2019)

W.P. (MD) No.20954 of 2019
27.09.2019

MSA

MK (24.10.2019) 3P 8C