



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.19993 of 2018

WEB COPY

S.Vincent

... Petitioner

-Vs-

The Registrar,
Madurai Kamaraj University,
Madurai-625 021.

... Respondent

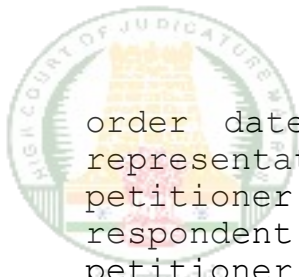
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to calculate the increment on the crucial dates viz., 01.07.1988, 01.07.1989, 01.07.1990 and 01.07.1991 instead of 01.04.1989, 01.04.1990, 01.04.1991 and 01.04.1992 and re-fix the pay on the same and calculate the subsistence allowance, commutation and pension after refixation of pay and also pay full salary for the suspension period of 262 days and issue the same and revise the pension and issue pension with all the arrears after refixation of pay and revision of pension.

For Petitioner : Mr.K.Suresh Kumar
For Respondent : Mr.K.Ragatheesh Kumar,
for M/s. Isaac Chambers.

ORDER

This Writ Petition is filed to direct the respondent to calculate the increment on the crucial dates viz., 01.07.1988, 01.07.1989, 01.07.1990 and 01.07.1991 instead of 01.04.1989, 01.04.1990, 01.04.1991 and 01.04.1992 and re-fix the pay on the same and calculate the subsistence allowance, commutation and pension after refixation of pay and also pay full salary for the suspension period of 262 days and issue the same and revise the pension and issue pension with all the arrears after refixation of pay and revision of pension.

2. According to the petitioner, he joined as Junior Assistant on 02.06.1971 and retired as Superintendent on 30.06.1995, on attaining the age of superannuation. The scale of pay for the post of Superintendent was revised by the respondent as per Memo No.206/Estt.-1/NT/91, dated 01.06.1988. The respondent has refixed the scale of pay for the post of Superintendent. The respondent did not revise the salary of the petitioner as Superintendent and has not granted increments from first day of July of every year, but erroneously, granted increments from first day of April of every year. The petitioner has given various representations and also filed Writ Petition in W.P.No.44162 of 2002. This Court, by the



order dated 20.12.2010, directed the respondent to consider the representation of the petitioner. Even after passing the order, the petitioner made several representations, lastly on 23.01.2018 to the respondent. However, the same has not been considered. Hence, the petitioner has come out with the present Writ Petition.

WEB COPY

3.The learned counsel appearing for the petitioner referred to the letter dated 09.01.2017 sent by the respondent to the Tamil Nadu State Legal Services Authority, wherein it has been stated by the respondent that the claim of the petitioner would be considered, after disposal of the Writ Petition in W.P.(MD)No.44162 of 2002, filed by the petitioner.

4.Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the respondent and perused the materials available on record carefully.

5.Considering the order of this Court dated 20.12.2019 made in W.P.No.44162 of 2002 and the letter dated 09.01.2017, the respondent is directed to consider the representation of the petitioner dated 23.01.2018, on merits and pass appropriate orders, in accordance with law, after affording opportunity of hearing to the petitioner, within a period of twelve 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 ()

// True Copy //

Sub Assistant Registrar(CS)

Myr
To

The Registrar,
Madurai Kamaraj University,
Madurai-625 021.

+1 CC to Mr.K.SURESH KUMAR, Advocate (SR-96514[F]dated 06/11/2019)
+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-96492[F]dated
06/11/2019)

W.P. (MD)No.19993 of 2018
05.11.2019

VB(26.11.2019) 2P 4C