

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH
WP.No.4178 of 2020

Dr.R.Balamurugan .. Petitioner

- Vs -

1. The Principal Secretary to Government,
Government of Tamil Nadu,
Department of Higher Education,
Secretariat, Chennai-600 009.
2. Annamalai University,
Represented by its Registrar,
Annamalai Nagar,
Chidambaram, Cuddalore District-608 002. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the first respondent to treat the period from 19.12.2017 to 03.07.2019 as duty period of the petitioner and to pay all relevant monetary benefits to him by passing appropriate orders on the petitioner's Appeal dated 05.10.2019 within a reasonable time to be fixed by this Court.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.E.Manoharan
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to consider the appeal filed by the petitioner on 05.10.2019 and to pass appropriate orders within a time stipulated by this Court.

2. The case of the petitioner is that he was working as an Assistant Professor in the second respondent-University. The second respondent-University initiated proceedings against the petitioner on the ground that the petitioner did not join the deputed place at University College of Engineering, Thirukkuvalai, Nagapattinam District. The petitioner made a representation and

approached this Court and pursuant to the directions issued by this Court by order dated 04.01.2019, the petitioner was permitted to continue in the second respondent-University from 04.07.2019.

3. The petitioner made a representation to the second respondent to consider the period from 19.12.2017 till 03.07.2019 as duty period. The second respondent, by proceedings dated 12.09.2019 treated this period as Leave on Loss of pay. Aggrieved by the same, the petitioner filed an appeal before the first respondent on 05.10.2019. Since no orders were passed, the present writ petition has been filed before this Court.

4. Heard Mr.R.Neelakandan, learned counsel appearing on behalf of the petitioner and Mr.E.Manoharan, learned Special Government Pleader appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this Writ Petition, there shall be a direction to the first respondent to consider the appeal/representation dated 05.10.2019 made by the petitioner and pass appropriate orders on its own merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of the appeal/representation dated 05.10.2019 and a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

KMI

To

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

2. Annamalai University,
Represented by its Registrar,
Annamalai Nagar,
Chidambaram, Cuddalore District-608 002.

+1cc to Mr.R.Neelakandan , Advocate SR.No. 15442

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A.SK(23/03/2020)