

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2020

CORAM

THE HONOURABLE THIRU JUSTICE V. PARTHIBAN

W.P.No.9347 of 2020

Dr.D.Ramkumar

... Petitioner

Vs.

1.Union of India,
rep.by its Secretary to Government
(Education)-cum-Chairperson,
Pondicherry Society for Higher
Education (PONSHE)
Government of Puducherry,
Puducherry.

2.Union of India,
rep.by its Secretary to
Government(Finance),
Government of Puducherry,
Puducherry.

3.Pondicherry Society for
Higher Education(PONSHE),
rep.by its Member Secretary,
PIPMATE Complex,
Lawspet, Puducherry.

4.Directorate of Higher and Technical
Education, rep.by its Director,
PIPMATE Complex,
Lawspet, Puducherry.

5.Kasthurba College for Women,
rep.by its Principal-cum-Drawing
and Disbursement Officer,
Villianur, Puducherry

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to pay salary of the petitioner, on the same pay day, as paid to the Assistant Professors working under the 4th respondent.

For Petitioner: Mr.C.Vigneswaran

For Respondents: Mr.T.M.Naveen
for R1,R3 and R5
Mr.Stalin Abimanyu for R2

ORDER

The matter is taken up through web hearing.

2.The grievance of the petitioner is that the third respondent, under whom the petitioner is employed as Assistant Professor, is not paying salary promptly every month, unlike his counter parts in other institutions under the Government of Puducherry. Therefore, the petitioner has come up with the present writ petition seeking a direction to pay salary on the same date promptly as being paid to the other similarly placed Assistant Professors, under the control of the 4th respondent.

3.Initially when the writ petition was entertained notice was issued and thereafter, salaries were paid to the petitioner whenever funds were allocated to the institution and in that event, Mr.T.M.Naveen, learned counsel, who took notice on behalf of the third respondent submitted that in due course, salaries for the months of June, July and August would be paid in the course of two months.

4.When the matter is taken up for hearing today, on behalf of the third respondent, it is submitted that upto July 2020 salaries have been disbursed to the petitioner and for the month of August 2020, it will be paid in due course as and when allocation is made.

5.In consideration of the submission made by the learned counsel for the third respondent, this Court is of the view that the writ petition need not be kept pending in order to facilitate monthly salaries to be paid to the petitioner. However, on the assurance given by the learned counsel for the third respondent that as and when funds are made available salaries will be paid at the earliest, this Court does not feel that the writ petition is to be kept pending on the file of this Court any more.

6.Recording the above submission of the learned counsel for the third respondent, the writ petition stands closed directing the third respondent to make payments towards salary as and when

they become due and payable at the earliest, whenever the funds are available for the said purpose by the Government of Puducherry. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Union of India,
(Education)-cum-Chairperson,
Pondicherry Society for Higher
Education (PONSHE)
Government of Puducherry,
Puducherry.

2.The Secretary to
Government(Finance),
Union of India,
Government of Puducherry,
Puducherry.

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vsn II[co]
srg 08/10/2020