



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Twenty Second day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

WMP(MD) No.4995 of 2021

IN

WP(MD) No.6397 of 2021

R.T.SAROJA

... PETITIONER/PETITIONER

Vs

1.MOTHER TERESA WOMEN'S UNIVERSITY,
REP.BY ITS VICE CHANCELLOR,
KODAIKANAL-624101, DINDIGUL DISTRICT.

2.MOTHER TERESA WOMEN'S UNIVERSITY,
REP.BY ITS REGISTRAR,
KODAIKANAL-624101,
DINDIGUL DISTRICT.

... RESPONDENTS/RESPONDENTS

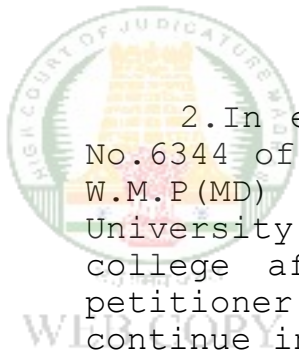
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of interim direction, directing the Respondents to disburse the monthly salary of the petitioner for discharging her duty in the post of Assistant professor from the month of June 2020 to till date pending disposal of the Writ Petition and thus render justice.

PRAYER IN WP(MD)No.6397 of 2021:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent No.2 to disburse the monthly salary of the petitioner for discharging her duty in the post of Assistant professor at the 2nd Respondent University from the month of June 2020 to till date within the time period stipulated by this Hon'ble Court.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.LAJAPATHI ROY, Advocate for the petitioner and of Mr.E.V.N.SIVA, Advocate on behalf of the Respondents, while admitting the Writ Petition, the court made the following order:-

Heard the learned counsel for the petitioner and the learned
<https://hcservices.ecourts.gov.in/hcservices/>
counsel for the respondents.



2. In earlier writ petition filed by the petitioner in W.P(MD) No.6344 of 2020, there was an interim order passed by this Court in W.M.P(MD) No.5579 of 2020, dated 01.06.2020, directing the University to permit the petitioner to continue in service of the college affiliated to the University. It is the case of the petitioner that though the respondent University was permitted to continue in service in the College, the salaries have been withheld.

3. On *prima facie*, I do not find any justification on the part of the respondent University in extracting her service and refraining from paying the salaries. The issue as to whether the petitioner is entitled to continue in service or not, could be decided in the course of final hearing. The fact remains that the petitioner has rendered her service and therefore, she would be entitled for her salary.

4. These aspects require further deliberations. Pertaining into account of the fact that the petitioner is continuing in her service, there shall be an interim direction to the respondents to pay the monthly salary from 01.06.2020 within a period of one week from the date of receipt of a copy of this order.

5. Post the matter on 30.06.2021.

sd/-
22/03/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE VICE CHANCELLOR,
MOTHER TERESA WOMEN'S UNIVERSITY,
KODAIKANAL-624101, DINDIGUL DISTRICT.
2. THE REGISTRAR,
MOTHER TERESA WOMEN'S UNIVERSITY,
KODAIKANAL-624101, DINDIGUL DISTRICT.

+1. C.C. to Mr.T.LAJAPATHI ROY Advocate SR.No.2383

ORDER IN
WMP(MD) No.4995 of 2021 IN
WP(MD) No.6397 of 2021
Date : 22/03/2021

CP

<https://hcmv.csr.org.in/hcmv/csr/17/2021/2P/4C>