



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) Nos. 16655 to 16660 of 2021

W.P. (MD)No.16655 of 2021

Mr.Somasundaram

... Petitioner

.Vs.

Madurai Kamaraj University,
Represented by its Registrar,
Palkalai Nagar,
Madurai - 625 021.

...Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to disburse the payment of difference in salary from 18.09.1987 to 30.06.2000 as per pay scale fixation in the light of Memo No.Estt-I/1/PF/2010 dated 16.09.2010 and to reimburse the excess commutation amount which was wrongly deducted and confer all consequential monetary and other benefits to the petitioner and to consider the representation of the petitioner in 03.01.2020 and 19.07.2021 within the time period stipulated by this Court.

K.N.K.Athmaram

... Petitioner(s) in WP (MD)No.16656/2021

Pandy

... Petitioner(s) in WP (MD)No.16657/2021

R.Shantha Ramakrishnan

... Petitioner(s) in WP (MD)No.16658/2021

Dr.Stan.A.Pereira

... Petitioner(s) in WP (MD)No.16659/2021

Sushila

... Petitioner(s) in WP (MD)No.16660/2021

.Vs.

Madurai Kamaraj University,
Rep. by its Registrar,
Palkalai Nagar,
Madurai - 625 021.

...Respondent(s) in WP (MD)No.16656/2021

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Madurai - 625 021.

...Respondent(s) in WP(MD)No.16660/2021

Prayer in WP(MD). 16656/ 2021 :

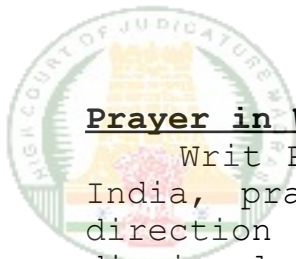
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-7.To issue a Writ of Mandamus for a direction , directing the Respondent to disburse the payment of difference in salary from August 1987 to March 1994 as per pay scale fixation in the light of Memo .No.Estt-I/1/PF/2010 dated 16/09/2010 and also to reimburse the commutation amount and confer all consequential monetary and other benefits to the petitioner and to consider the representation of the petitioner in 13/10/2020 and 27/07/2021 within the time period stipulated by this Honble Court.

Prayer in WP(MD). 16657/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-7.To issue a Writ of Mandamus for a direction , directing the Respondent to regularise the period of dismissal as duty period in ight of Rule 9 of Fundamental Rules 54 (B) and disburse the payment of difference in salary as per pay scale fixation in the light of Memo .No.Estt-I/1/PF/2010 dated 16/09/2010 and also reimburse the commutation wrongly deducted and confer all consequential monetary and other benefits to the petitioner and to consider the representation of the petitioner in 09/10/2020 and 19/08/2021 and confer all consequential monetary and other benefits to the petitioner within the time period stipulated by this Honble Court and pass such further or other orders as this Honble Court.

Prayer in WP(MD). 16658/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-7.To issue a Writ of Mandamus for a direction , directing the Respondent to regularise the period of dismissal as duty period in light of Rule 9 of Fundamental Rules 54 (B) and disburse the payment of difference in salary as per apy scale fixation in the light of Memo.No.Estt-I/1/PF/2010 dated 16/09/2010 and also to reimburse the commutation wrongly deducted and confer all consequential monetary and other benefits to the petitioner and consider the representation of the petitioner in 06/02/2019 and 18/08/2021 within the time period stipulated by this Honble Court.



Prayer in WP(MD). 16659/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-7.To issue a Writ of Mandamus for a direction , directing the Respondent to regularise the period of dismissal as duty period in light of Rule 9 of Fundamental Rules 54 (B) and disburse the payment of difference in salary as per apy scale fixation in the light of Memo.No.Estt-I/1/PF/2010 dated 16/09/2010 and also to reimburse the commutation wrongly deducted and confer all consequential monetary and other benefits to the petitioner and consider the representation of the petitioner in 27/12/2019 and 18/08/2021 within the time period stipulated by this Honble Court.

Prayer in WP(MD). 16660/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-7.To issue a Writ of Mandamus for a direction , directing the Respondent to regularise the period of dismissal as duty period in light of Rule 9 of Fundamental Rules 54 (B) and disburse the payment of difference in salary as per apy scale fixation in the light of Memo.No.Estt-I/1/PF/2010 dated 16/09/2010 and also to reimburse the commutation wrongly deducted and confer all consequential monetary and other benefits to the petitioner and consider the representation of the petitioner in 18/08/2021 and 23/08/2021 of the petitioner within the time period stipulated by this Honble.

In all Cases

For Petitioner : Mr.S.Rajasekar
For Respondent : Mr.Isaac Mohan Lal,
Senior Counsel for
M/s.Isaac Chamber

COMMON ORDER

These Writ Petitions have been filed seeking for a direction to the respondent to disburse the payment of difference in salary as per pay scale fixation in the light of Memo No.Estt-I/1/PF/2010 dated 16.09.2010 and to reimburse the commutation amount and confer all consequential monetary and other benefits to the petitioners.

2. According to the petitioners, they were worked and retired from the Respondent University as Senior Deputy Registrar, Deputy Registrar and Superintendent. They were falsely implicated in a Mark Scandal in the year 1987 and subsequently, they were acquitted in the year 2004. The grievance of the petitioner is that though they were acquitted from the Mark Scandal cases, the respondent has not given the arrears of salary for the termination period and also not paid the monetary and other benefits to the petitioners. Hence, the petitioners made representations dated 03.01.2020, 13.10.2020, 09.10.2020, 06.02.2019, 27.12.2019 and 18.08.2021 respectively,



seeking to to disburse the payment of difference in salary as per pay scale fixation in the light of Memo No.Estt-I/1/PF/2010 dated 16.09.2010 and to reimburse the commutation amount and confer all consequential monetary and other benefits. However, so far no orders have been passed on the said representations and the same are still pending with the respondent. Hence, the petitioners have filed this Writ Petitions.

3. The learned Senior Counsel appearing for the respondent University would submit that the representations of the petitioner will be considered, if the petitioners are eligible and appropriate orders will be passed in accordance with law.

4. Considering the submissions made by both parties, this Court, without going into the merits of the case, directs the respondent to consider the representations of the petitioners dated 03.01.2020, 13.10.2020, 09.10.2020, 06.02.2019, 27.12.2019 and 18.08.2021 respectively and pass orders in accordance with law as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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

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

+6 CC to M/s.ISAAC CHAMBERS, Advocate (SR-30913[F] dated 01/10/2021)

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