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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.8707 of 2022

Dr.P.Devadas Manoharan

... Petitioner

Vs.

1.The Vice Chancellor,
Anna University,
Chennai - 600 025.

2.The Registrar,
Anna University,
Anna University Campus,
Sardar Patel Road,
Chennai - 600 025.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to disburse the petitioner's retirement benefits considering the petitioner's representations dated 01.10.2018, 30.05.2020, 20.07.2020 and 29.11.2021.

For Petitioner : Mr.S.Saravanan

For Respondents: Mr.V.Meenakshi Sundaram,
Standing counsel

O R D E R

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to disburse the petitioner's retirement benefits considering the petitioner's representations dated 01.10.2018, 30.05.2020, 20.07.2020 and 29.11.2021.



3. The case of the petitioner is that while the petitioner was serving as Vice Chancellor of Anna University of Technology, Tiruchirappalli, the post of Vice Chancellor fell vacant in the respondent University during 2017 and the Chancellor of the respondent University had constituted a 3 member Search Committee for appointment of the Vice Chancellor to the Respondent University. Therefore, vide his application dated 19.01.2018, the petitioner applied for the said post. The deadline fixed by the Government of Tamil Nadu for filing of applications for the said post viz., Vice Chancellor of Anna University, Chennai was 1st February 2018. In the meanwhile, the petitioner was served with the impugned charge memo dated 01.02.2018, in Memo No.30181/PR11/1992 by the 2nd respondent herein alleging that the petitioner had committed some irregularities while making appointments to the post of Assistant Professor in various departments, Estate Officer and Physical Trainer. The 2nd respondent has no competency to issue the above charge memo against the petitioner and the above incident is said to taken place about seven and half years ago from the date of issuing of the said Charge Memo. Challenging the said charge memo, the petitioner filed W.P.No.3381 of 2018 before this Court and by an order dated 09.01.2019, this Court quashed the aforesaid charge memo. Challenging the above order, the 2nd respondent had preferred W.A.No.3553 of 2019 before the Hon'ble Division Bench of this Court, wherein, no interim order was granted in favour of the 2nd respondent. The petitioner retired from service on attaining the age of superannuation on 31.07.2018. As on date, no pension and other retirement benefits due to him from the date of retirement have been disbursed by the respondents and the same is pending for 4 years. Therefore, the petitioner made representations dated 01.10.2018, 30.05.2020, 20.07.2020, 29.11.2021 to the respondents, but the same was not considered till date. Hence, the petitioner has filed this writ petition before this Court.

4. Mr.V.Meenakshi Sundaram, learned Standing Counsel takes notice for the respondents and he would submit that if any such representation was received by the respondents, the same will be considered on merits and in accordance with law.

5. In view of the above submissions and also considering the limited scope of prayer, without expressing any opinion on merits, this Court is inclined to direct the 2nd respondent to consider the representation of the petitioner dated 29.11.2021 and pass appropriate orders on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition stand disposed of. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

- 1.The Vice Chancellor,
Anna University,
Chennai - 600 025.
- 2.The Registrar,
Anna University,
Anna University Campus,
Sardar Patel Road,
Chennai - 600 025.

+lcc to Mr.S.Saravanan, Advocate SR.No.24376

W.P.No.8707 of 2022

SKM(CO)
GMY(02/05/2022)