



W.P.No.17474 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17474 of 2018

V.Jaganathan

... Petitioner

Vs.

1.The Secretary to Government
Higher Education Department,
Fort St. George, Chennai – 9.

2.The Director of College Education,
Chennai – 6.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to dispose of the petitioner's representation dated 18.10.2017 on merit and to fix the petitioner's pay (from December 1989 to June 1993 as explained in the list detailed in typed set of paper at page number 22) to draw and disburse the arrears till the petitioner reached the Superannuation on 31.05.2005 AN.

For Petitioner

: Mr.S.P.Vivek
For Mr.Balaji Thirumoorthy

For Respondents

: Mr.A.Anandan
Government Advocate



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ORDER

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The relief sought for in the present writ petition is to direct the respondents to dispose of the representation dated 18.10.2017.

2. The petitioner was initially appointed as Lab Assistant on 06.07.1968 and acquired the qualification of M.A.Tamil and thereafter, he was promoted to the post of Lecturer. The petitioner has stated that in his representation that on completion of 5 years of service, he should have been posted as Assistant Professor and further, requested to granted increments for the period between 1989-1993 and for consequential revision of pension and arrears.

3. The petitioner seeks sanction of increment for a period of 1989, several years after his retirement. Even at the time of filing of the writ petition, the petitioner was aged about 72 years and now he would be aged around 76 years.

4. The learned Government Advocate appearing on behalf of the respondents made a submission that the very same writ petitioner already



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filed a writ petition in W.P.No.36680 of 2006 seeking the very same prayer.

This Court passed an order that the back wages cannot be granted to the writ petitioner. The petitioner filed an Appeal in W.A.No.755 of 2014 and the writ appeal also disposed of and thereafter now the writ petitioner has again filed a writ petition with the same prayer.

5. The recruitment for the post of Assistant Professor was done through direct recruitment and the petitioner was given the post of Assistant Professor based on the Court orders and his salary was also fixed accordingly and retired from service in the year 2005.

6. This being the facts and circumstances, the relief as such sought for in the present writ petition cannot be granted and accordingly, the Writ Petition stands dismissed. No costs.

08.11.2022

Jeni

Index : Yes

Speaking order



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To

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S.M.SUBRAMANIAM, J.

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