



WEB COPY



W.P.No.32932 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.32932 of 2022

A.Priya

... Petitioner

Vs.

1. The Principal Secretary,
Higher Education Department,
Government of Tamil Nadu,
Secretariat, Fort St.George
Chennai - 600 009.

2. The Vice Chairman,
Science City,
Higher Education Department,
Periyar Science & Technology Campus,
Gandhimandapam Road,
Chennai - 600 025.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider and pass order on the representation of the petitioner dated 16.05.2022 for payment of the petitioner's salary for the months from 02.08.2021 to 21.02.2022 and from the month of May 2022 to till date along with the pay slip.



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For Petitioner : Mr.K.R.Neelambar
For Respondents : Mr.D.Ravichander
Special Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.D.Ravichander, learned Special Government Pleader accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to pass final orders on the petitioner's representation dated 16.05.2022 seeking for payment of her arrears of salary.

4. According to the petitioner, due to harassment caused by an Administrative Officer, she has been unable to attend office and due to the same, she has not been paid the salary. The petitioner also claims that she is a cancer patient and is taking medical treatment. The representation



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given by the petitioner on 16.05.2022 to the 2nd respondent pertains to the months of March and April 2022 alone and was not given for the subsequent months, therefore, the petitioner will have to give a fresh representation.

5. Heard Mr.K.R.Neelambar, learned counsel for the petitioner and Mr.D.Ravichander, learned Special Government Pleader for the respondents.

6. No prejudice would be caused to the respondents, if the petitioner is allowed to give a fresh representation to the respondents requesting them to pay her salary from the month of May 2022 onwards to till date and a direction is issued to the respondents to consider the same on merits and in accordance with law within a time frame to be fixed by this Court.

7. The learned Special Government Pleader appearing for the respondents would submit that the petitioner having admitted in her representation itself that she has not attended work for the period when the salary was not paid, is not entitled for any arrears of salary as claimed by her. However, the same is disputed by the petitioner.

8. The learned counsel for the petitioner would submit that only



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due to the harassment caused by the Administrative Officer, the petitioner was not allowed to attend for work.

9. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the second respondent requesting them to pay her arrears of salary I.e. from the month of May 2022 to till date, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent is directed to pass final orders on merits and in accordance with law within a period of four weeks thereafter.

10. With the aforesaid direction, the writ petition is disposed of. No costs.

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Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
ham/vsi2

To



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ABDUL QUDDHOSE, J.

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