



W.P.No.17431 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.17431 of 2016

M. Ramar

.. Petitioner

Versus

1. All India Council for Technical Education,
Southern Regional Office,
Shastri Bhavan
Haddows road,
Nungambakkam, Chennai – 600 034.

2. Directorate of Technical Education,
Sardar Patel Road,
Guindy, Chennai 600 025.

3. The Principal,
V. Ramakrishna Polytechnic College,
Thiruvottiyur,
Chennai – 600 019.

.. Respondents

Prayer: This Writ petition is filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus to call for the records of the 3rd respondent impugned letter dated 01.02.2016 and quash the same and further direct the 3rd respondent to pay the petitioner the sum of Rs.14,08,923/- which is the amount due to be paid by the 3rd respondent as per G.O.Ms. No.111 Higher Education Department dated 25.05.2010 to the petitioner.



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For Petitioner

: M/s.G. Sri Jaya Shree
for M/s. S. Ariv Azhagan

For Respondent-1 : Mr.B. Ruby Manohar

(Standing Counsel)

For Respondent -2

: Mr. T. Chezhan

Additional Government Pleader

ORDER

This writ petition is filed to call for the records of the 3rd respondent impugned letter dated 01.02.2016 and quash the same and further direct the 3rd respondent to pay the petitioner the sum of Rs.14,08,923/- which is the amount due to be paid by the 3rd respondent as per G.O.Ms. No.111 Higher Education Department dated 25.05.2010 to the petitioner.

2. The petitioner joined his services as as Physical Director in the 3rd Respondent Government Aided College in the year 1985 and retired in the year 04.05.2015. The services of the petitioner has been regularized in the year 03.04.1989 and pay scale was fixed accordingly. Thereafter, the 3rd Respondent does not fix the salary by following any Government Orders. The grievance of the petitioner is that the 3rd



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Respondent ought to have fixed the pay scale as per G.O.M.S.No.111 issued by Higher Education (2) Department dated 25.05.2010 which is not done by them. Hence the petitioner gave a representation to the 3rd respondent on 23.07.2015, however the same was not considered. Subsequent to which the petitioner approached this Court in W.P.No.34919 of 2015 and this Court vide order dated 30.10.2015 disposed of the said writ petition with a direction to the respondents 2 and 3 to consider the petitioner's representation within a period of three weeks. Pursuant to which the third respondent has passed the impugned order on 01.02.2016. Hence this petition.

3. Today when the matter is taken up for hearing the learned standing counsel for the first Respondent submitted that a Grievance Redressal Committee is formed to look into the grievance of the faculty staff and a provisions was also made in Approval process Handbook (2022-2023) that the issues with regard to fixation of pay scale of the staff members shall be addressed by the concerned state DTE/University.



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4. Considering the submission made by the learned standing counsel appearing for the first respondent this Court without going into the merits of the case, directs the petitioner to give a representation to the said committee and on such representation being made the respondents shall consider the same on merits and in accordance with law, within a period of four weeks from the date on which the petitioner submits his representation and communicate the decision to the third respondent . No order as to costs.

15.03.2023

Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

smn

To

1. All India Council for Technical Education, Southern Regional Office,
Shastri Bhavan, Haddows road,
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2. Directorate of Technical Education,
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3. The Principal,
V. Ramakrishna Polytechnic College,
Thiruvottiyur,
Chennai – 600 019.

4. The Section Officer, V.R.Section,
High Court, Madras.



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V.BHAVANI SUBBAROYAN, J.

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