



WEB COPY



W.P.No.23762 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.23762 of 2023

Dr.P.M.Anbarasan

..... Petitioner

-Versus-

The Syndicate of Periyar University,
Rep. by The Registrar/Ex Officio Secretary to Syndicate,
Periyar University,
Periyar Palkalai Nagar,
Salem 636 011.

..... Respondent

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus directing the respondent to consider the representation of the petitioner dated 10.05.2023 and 23.06.2023 to refix the regular date of increment with effect from 01.01.2022 instead of 01.01.2024 within a stipulated time period.

For Petitioner : Ms.J.Prithivi



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ORDER

This writ petition has been filed seeking a writ in the nature of mandamus directing the respondent to consider the representations of the petitioner dated 10.05.2023 and 23.06.2023 seeking to refix the date of increment w.e.f. 01.01.2022 instead of 01.01.2024.

2. Heard the learned counsel for the petitioner.

3. Since the order that is going to be passed in the writ petition will no way cause any prejudice to the other party, this court considers that no notice is necessary to the other side.

4. The petitioner was placed under suspension for the period from 09.03.2018 to 26.05.2020. The disciplinary proceedings initiated against him culminated into an order of punishment of stoppage of increment for three years with cumulative effect. The syndicate has recommended for punishment of stoppage of increment for three years with cumulative effect from the date of incident as per Chapter VIII of section 13(1b) sub section 2(a) of the Periyar University Statutes. However, punishment of stoppage of increment for three years has been imposed from 01.01.2021 for three years. The grievance of the



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petitioner is that his representations for re-fixation of date of increment is yet to be considered by the respondent though more than two months have elapsed since his first representation.

5. Considering the limited nature of the relief sought for in the writ petition, this court, without going into the merits of the matter, directs the respondent to consider the representations of the petitioner dated 10.05.2023 and 23.06.2023 for re-fixation of regular date of increment on merits and strictly in accordance with the rules governing the university in this regard, within a period of two months from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

11..08..2023

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk

To

1.The Registrar/Ex Officio Secretary to Syndicate,
Periyar University, Periyar Palkalai Nagar, Salem 636 011.



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N.SATHISH KUMAR.J.,

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