



WEB COPY



W.P.No.25789 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.25789 of 2023

Dr.Rajaguru,
Additional Professor of Cardio Thoracic Surgery (Retired),
Flat No.7, Shanthi Apartments,
No.25, Vyasar Street, T.Nagar,
Chennai-600 017. ... Petitioner

Versus

1.The Dean,
Madras Medical College,
Chennai-600 003.

2.The Pay & Accounts Officer I/C,
Pay and Accounts Office (North),
Singaravelar Maligai,
Chennai-600 001. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other appropriate Writ, or order or direction in the nature of a Writ to direct the 1st respondent herein to settle the balance arrears amount of Rs.36,524/- (Rupees Thirty Six Thousand Five Hundred and Twenty Four only) payable to the petitioner herein forthwith failing which, direct the 1st respondent herein to pay the interest @ 18% on belated payment to the petitioner herein.

For Petitioner : Mr.M.Ramesh

For Respondent : Mr.S.Prabhakaran,
Government Advocate



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ORDER

This Writ Petition has been filed to direct the 1st respondent to settle the balance arrears amount of Rs.36,524/- (Rupees Thirty Six Thousand Five Hundred and Twenty Four only) payable to the petitioner forthwith failing which, direct the 1st respondent herein to pay the interest @ 18% on belated payment.

2.The contention of the learned counsel for the petitioner is that the petitioner retired from the service as Additional Professor, Department of Cardio Thoracic Surgery, Madras Medical College, Chennai on 31.07.2005. Thereafter, the petitioner was paid with the first installment of VIth Pay Commission arrears of Rs.54,788/- and the balance amount of Rs.36,524/- has not been paid till date. In these circumstances, the petitioner has issued the legal notice, dated 23.05.2023 to the respondents to settle the balance arrears, however, they have neither replied nor paid the said amount. Hence, seeks direction of this Court.

3.On perusal of the records, it is seen that in the year 2006 itself, an order has been passed by the 1st respondent to pay the VIth Pay Commission arrears to the petitioner. Such being the position, except the first



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installment, the balance installments have not been paid to the petitioner.

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4.In such view of the matter, the petitioner is directed to give fresh representation to the respondents, within two weeks, from the date of receipt of a copy of this order and on such representation, the respondents shall pass an order on merits and in accordance with law, within a period of two months, from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of.

No costs.

04.09.2023

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

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To

1.The Dean,
Madras Medical College,
Chennai-600 003.

N.SATHISH KUMAR, J.



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2. The Pay & Accounts Officer I/C,
Pay and Accounts Office (North),
Singaravelar Maligai,
Chennai-600 001.

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