



W.P.No.29481 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29481 of 2023

1. J.Richard Tensingh
2. B.Sheela Prasanna Rubavathy

...Petitioners

Vs

1. The Director of Collegiate Education,
I.A.S.E. Campus, 577, Anna Salai,
Saidapet, Chennai 600 015.

2. The Additional Director cum Financial Advisor,
Directorate of Collegiate Education,
Saidapet, Chennai 600 015.

3. The Joint Director of Collegiate Education,
Madurai Region, Madurai-2.

4. The Secretary,
The American College,
Madurai-2.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents more particularly the 2nd respondent to release and grant salary and allowances to the petitioners from 01.09.2022 viz., their date of appointment as Lab Assistants in accordance with



W.P.No.29481 of 2023

the proceedings of the 3rd respondent in Pa.Mu.No.10686/Voo2/2022 & Pa.Mu. No.10687/Voo1/2022, dated 13.09.2022.

For Petitioners : Ms.Catherine Martin

For Respondents : Mr.M.Alagu Goutham
GA
For R.1 to R.3

ORDER

Through the proceedings of the Director of Collegiate Education dated 17.08.2022, American College, Madurai was sanctioned with two posts of Lab Assistants. In accordance with the sanction, the College had also appointed both the petitioners herein as Lab Assistants on 01.09.2022 and they had also joined the posts on the same day. Subsequently, when the College had sought for approval of their appointments, the third respondent herein had approved the appointment of both these petitioners herein on 13.09.2022 respectively. However, their salaries had not been sanctioned from 01.09.2022 which prompted them to give representations and owing to the non-consideration of the representations, the present writ petition has been filed.



W.P.No.29481 of 2023

WEB COPY

2. While the learned counsel for the petitioners would submit that since the petitioners had been properly appointed in a sanctioned post and their appointments have already been approved by the competent authority, the denial of salary from 01.09.2022 is not justified, the learned Government Advocate submitted that after the approval of the appointments, the post of Lab Assistants requires to be created which process is under way and only thereafter, they would release the salaries.

3. Since the fact that the post of Lab Assistants, in which, the petitioners have been appointed from 01.09.2022 onwards is not disputed, it requires to be held that the petitioners are entitled for their salaries from 01.09.2022 onwards. Whatever be the procedure to be adopted by the Government before grant of the salaries from 01.09.2022, requires to be expedited and therefore, I am of the view that a time limit could be stipulated for the Government to complete the process and release the salaries of the petitioners.

4. Accordingly, the respondents 1 to 3 herein are directed to pass appropriate orders releasing the salaries due to the petitioners from 01.09.2022



WEB COPY



W.P.No.29481 of 2023

M.S.RAMESH,J.,

onwards within a period of eight weeks from the date of receipt of a copy of
this order.

5. With the above direction, the writ petition is disposed of. No costs.

19.10.2023
2/2

Index: Yes/No

Speaking order/Non-speaking order

sr

To

1. The Director of Collegiate Education,
I.A.S.E. Campus, 577, Anna Salai,
Saidapet, Chennai 600 015.
2. The Additional Director cum Financial Advisor,
Directorate of Collegiate Education,
Saidapet, Chennai 600 015.
3. The Joint Director of Collegiate Education,
Madurai Region, Madurai-2.

W.P.No.29481 of 2023