



WEB COPY



W.P.No.8152 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.8152 of 2012

G.Sivaprasad

... Petitioner

Vs.

1.The State of Tamil Nadu,
Higher Education Department,
Fort St.George, Chennai – 600 009.
Rep. by its Secretary.

2.The Registrar,
Anna University, Chennai – 600 025.

3.The Registrar,
Anna University of Technology,
Chennai – 600 113.

...

Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to correctly fix pay with five advance increments for Ph.D., as per Appendix-II of G.O.Ms.No.95 Higher Education (C2) Department dated 05.05.2010 and to pay all consequential benefits from 08.09.2008 i.e., from the date of joining as Lecturer (redesignated as Assistant Professor) to the petitioner.

For Petitioner

:

Mr.K.Vasuvenkat



W.P.No.8152 of 2012

For Respondent 1 : Mr.D.Gopal,
Government Advocate

WEB COPY

For Respondents 2 & 3 : Mr.Avinash Wadhwani,
Standing Counsel

ORDER

The petitioner has filed this writ petition to direct the respondents to correctly fix pay with five advance increments for Ph.D., as per Appendix-II of G.O.Ms.No.95 Higher Education (C2) Department dated 05.05.2010 and to pay all consequential benefits from 08.09.2008 i.e., from the date of joining as Lecturer (redesignated as Assistant Professor) to the petitioner.

2. When the matter was taken up for hearing, learned standing counsel appearing for the respondents 2 & 3 submitted a Memo dated 24.01.2024.

For better appreciation, the said Memo is extracted hereunder:

“1. The Writ Petition has been filed seeking for a direction to implement G.O.Ms.No.95 Higher Education Department dated 05.05.2010. The grievance of the petitioner is that instead of applying Appendix-II, which is to be applied to all appointments after 01.01.2006, The Anna University of Technology, Chennai has applied Appendix-III which is applicable to persons who had joined prior to 01.01.2006.

2. As the present respondent had taken over management and absorbed employees after the amalgamation, this issue was



W.P.No.8152 of 2012

overlooked. The claim of the petitioner is bonafide and there are over nearly 100 similarly placed persons. It is pertinent to know that as implementing the Government Orders would lead to substantial financial implications, the matter is proposed to be placed before the Finance Committee of the University and thereafter with their recommendations before the Syndicate. Immediately upon obtaining the approvals, the government order shall be given effect to.

3. It is expected that the entire process would be completed within 16 weeks from the date of directions. In view of the submission, nothing would survive adjudication for the present.”

3. The aforesaid memo dated 24.01.2024 filed by the respondents 2 & 3 has been taken on record by this Court.

4. In view of the above, this writ petition is allowed. No costs.

24.01.2024

vm

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No



WEB COPY



W.P.No.8152 of 2012

J.SATHYA NARAYANA PRASAD,J.

vm

To:

- 1.The Secretary,
Higher Education Department,
Fort St.George,
Chennai – 600 009.
- 2.The Registrar,
Anna University, Chennai – 600 025.
- 3.The Registrar,
Anna University of Technology,
Chennai – 600 113.

W.P.No.8152 of 2012



WEB COPY



W.P.No.8152 of 2012

24.01.2024