



W.P.No.7996 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.7996 of 2024

Dr.S.Samuel Ravi

...Petitioner

-Vs-

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

2.The Regional Joint Director of Collegiate Education,
Thirunelveli Region,
Thirunelveli.

3.The Secretary-cum-Correspondent,
Nesamony Memorial Christian College,
Marthandam.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first respondent to disburse the petitioner's salary/arrears of salary from 03.07.2014 to 31.05.2019 and Provident Fund, Commutation, Gratuity, Earned Leave Surrender and other monetary benefits with interest at the rate of 12% p.a. from 03.07.2014 to till the date of actual settlement.



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For petitioner : Mr.E.Martin Jayakumar
For respondents – 1 & 2 : Mr.S.Anitha
Special Government Pleader

ORDER

This writ petition has been filed for direction to the first respondent to disburse the salary/arrears of salary from 03.07.2014 to 31.05.2019 and Provident Fund, Commutation, Gratuity, Earned Leave Surrender and other monetary benefits with applicable interest.

2. The petitioner was appointed in Self-Finance Scheme in the 3rd respondent college on 09.11.2010. Subsequently, he was appointed in the sanctioned Retirement vacancy as Assistant Professor in Economics with effect from 03.07.2014 in the third respondent's college. The petitioner was appointed in the sanctioned vacancy due to retirement of the incumbent. The 3rd respondent had sent a proposal for the approval of his appointment to the 2nd respondent. The petitioner's educational qualification was duly approved by the Manonmanium Sundaranar University by its communication dated 23.05.2019 with effect from 03.07.2014. The petitioner also submitted several representations for the approval of his



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appointment it was not considered and as such the petitioner approached this Court in W.P.No.16170 of 2019 and as such this Court passed an order dated 25.09.2019 thereby directed the respondents to consider the representation submitted by the petitioner. The said order was not complied by the respondents. Hence, the petitioner filed contempt petition before this Court. After filing contempt petition, the representation submitted by the petitioner was rejected by an order dated 04.12.2020. Finally, the first respondent by its communication dated 16.07.2021 the petitioner's appointment was approved. In pursuant to the same, the 2nd respondent also passed order by its communication dated 14.03.2022 approved the petitioner's appointment with government Grant-in-aid with effect from 03.07.2014. Thereafter, he attained age of superannuation and allowed to retire from service on 31.05.2019. Therefore, the petitioner is entitle for salary from the month of 03.07.2014 and all the retirement benefits. However, the petitioner was not settled any terminal benefits so far. The petitioner rightly submitted representation, however it was not considered.



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3. In view of the above the first respondent is directed to disburse the arrears of salary from the date of his appointment i.e., on 03.07.2014 till his retirement and all other terminal benefits with applicable interest within a period of four weeks from the date of receipt of copy of this order.

4. With the above direction, this Writ Petition is allowed. No costs.

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Index : Yes/No
Speaking/Non Speaking Order
Neutral Citation : Yes/No
gvn

To

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G.K.ILANTHIRAIYAN,J.
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