



WEB COPY



W.P. No.24955 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2024

CORAM:

THE HON'BLE MS. JUSTICE R.N. MANJULA

W.P. No.24955 of 2021

B. Divya Bharathi

Petitioner

v

The Dean
Madras Medical College
Chennai 600 003

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to pay the arrears of salary pending for the period 24.06.2019 to 01.02.2020.

For petitioner Mr. S. Vigneswaran

For respondent Mr. M. Rajendran
Additional Government Pleader

ORDER

The petitioner was appointed as a Research Assistant on 17.06.2019 in a project associated with Non-Alcoholic Fatty Liver Diseases (NAFLD) on contract/temporary basis in the Multi-disciplinary Research Unit (MRU) of the Madras Medical College, on a consolidated pay for a period of one year. She had joined and worked in the said project. The total budget for the project was Rs.32,19,321/- and the first year report was submitted in 2019 itself.

However, the project was cancelled after the submission of the first year



report, because, the Committee concerned was not satisfied with the work done. Unfortunately, the petitioner's salary for the period from 24.06.2019 to 01.02.2020 was not released owing to want of funds from the Government of India. Hence, the present writ petition seeking payment of arrears of salary.

2 It is not the case of the respondent that the petitioner had not worked for a period of one year. Having extracted work from the petitioner, the respondent cannot be heard to say that the petitioner could not be paid salary for the aforesaid period for want of funds. The respondent is liable to pay salary to the petitioner from the amount sanctioned for the project by initiating action in this regard.

3 Since the petitioner's representation dated 11.08.2021 seeking settlement of arrears of salary working out to Rs.2,02,135/- has not been considered till date, the respondent has to be given a direction for considering the same. *(It is to be pointed out that though the petitioner has stated in her affidavit that the date of the representation is 18.08.2021, the records reveal that it is only 11.08.2021).*

Accordingly, this writ petition stands disposed of with a direction to the



W.P. No.24955 of 2021

respondent to consider the petitioner's representation dated 11.08.2021 within a period of four weeks from the date of receipt of a copy of this order. No costs.

30.01.2024

cad

To

The Dean
Madras Medical College
Chennai 600 003



WEB COPY



W.P. No.24955 of 2021

R.N. MANJULA, J.

cad

W.P. No.24955 of 2021

30.01.2024