



WP.No.236 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.01.2024

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.236 of 2020

and

WMP.No.272 of 2020

T. Kalaiselvan

...

Petitioner

/vs/

The Registrar,
Anna University,
Chennai-600 025

...

Respondent

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a WRIT OF CERTIORARIFIED MANDAMUS calling for the records of the Respondent relating to the proceedings in the Letter No. 64807/PR23/09 dated 11.11.2019, and QUASH the same and consequently direct the Respondent to grant the Petitioner increment from 2012 onwards and back wages during the period between November 2012 to July 2014 with interest.

For Petitioner : Mr.C.Vigneswaran for
Mr.P.Vasanthakumar

For Respondents : Mr.R.Meenatchi Sundaram
Standing counsel for Anna university



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ORDER

This Writ Petition has been filed seeking WRIT of CERTIORARIFIED MANDAMUS to call for for the records of the Respondent relating to the proceedings in the Letter No. 64807/PR23/09 dated 11.11.2019, and QUASH the same and consequently direct the Respondent to grant the Petitioner increment from 2012 onwards and back wages during the period between November 2012 to July 2014 with interest.

2. Heard, Mr.C.Vigneswaran for Mr.P.Vasanthakumar, learned counsel for the petitioner and Mr.R.Meenatchi Sundaram, learned Standing counsel for Anna University and perused the materials available on record.

3. The petitioner, who got reinstated in view of the orders of this Court with effect from 1.7.2014. However, the Court has given liberty to the respondents to take action. Subsequently, the petitioner who was holding the post of Deputy Director on promotion was re designated as Additional Director (CUSC) during the month of January 2016. Meanwhile, the petitioner has filed WP.No.27528 of 2017 for claiming back wages for the period during which he was kept



terminated.(i.e.) from 06.11.2002 to 1.11.2014 and for all attendant benefits and got a direction to that effect. The direction has been completed subsequently by rejecting the petitioner's submission on 11.11.2019. The petitioner has challenged the said order dated 11.11.2019 which denied the back wages and increments to the petitioner on the ground that the petitioner was working in the non-sanctioned post and it is re-employment or not appointment and pay has been fixed only as per Tamil Nadu Pension Rules-1978.

4. Mr.C.Vigneswaran, learned counsel for the petitioner submitted that the petitioner has been appointed to the new post of Placement Coordinator only on 6.7.2009 and hence, the Tamil Nadu Pension Rules is not applicable to him. Since the respondent has implemented the Central Pay Commission, they cannot deny him the benefit of seventh pay commission also. It is pertinent to mention that the petitioner has filed another petition for seeking direction to implement the 7th Pay Commission as well.

5. When the matter is taken up for hearing today, Mr.R.Meenatchi Sundaram, learned Standing counsel for Anna University/ respondent submitted that the respondent's University has obtained legal opinion and placed the matter



before the Syndicate. Subsequently, the Syndicate has approved the petitioners selection in the place of Placement Coordinator and he was reinstated in the service based on the Court verdict as he had rendered more than 30 years of service.

6. He was superannuated on 31.01.2023. It is also proposed to fix his salary as per the norms for the placement Coordinator (CUSC) as he was a regular employee during the period from 12.08.2009 to 30.01.2023.

7. With the above action taken by the University, the substantial claim of the petitioner has been meted out. However, the orders have to be passed shortly. As the grievance of the petitioner has been redressed and they will get revision of pay as per the 7th Pay Commission, I feel, it is appropriate to direct the respondent to pass appropriate orders in view of the submission made before this Court in the above manner and pass orders.

8. Hence, the Writ Petition stands **disposed**. The impugned order passed by the respondent in Letter No. 64807/PR23/09 dated 11.11.2019 is quashed and the respondent is directed to pass appropriate orders in this matter within a period



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4 weeks from the date of receipt of copy of this order. No costs. Consequently,
connected miscellaneous petition is closed.

11.01.2024

Index : Yes/No
Internet : Yes/No
Speaking: Non-speaking
jrs

To

The Registrar,
Anna University,
Chennai-600 025



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R.N.MANJULA, J.

jrs

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