



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).Nos.302 to 305 of 2024

and

W.M.P.(MD)Nos.301 to 303, 305 to 313 of 2024

P.Muthupandi	... Petitioner in W.P.(MD)No.302 of 2024
N.Shanthini Devi	... Petitioner in W.P.(MD)No.303 of 2024
M.Nagarajan	... Petitioner in W.P.(MD)No.304 of 2024
K.Rajendran (Retired)	... Petitioner in W.P.(MD)No.305 of 2024

Vs.

1.Secretary to Government,
Higher Education Department,
State of Tamil Nadu,
Secretariat,
Chennai.

2.Secretary to Government,
Finance Department,
State of Tamil Nadu
Secretariat,
Chennai.

3.The Registrar,
Madurai Kamaraj University,
Madurai - 625 021.

4.The Director,
Local Fund Audit,
Chennai.

... Respondents in all W.Ps.



Common Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order of refixation of Scale of Pay in Memo No.Estt.I/MKU/Refix/2023, dated 15.12.2023 passed by the third respondent and quash the same and further direct the third respondent to restore the original scale of pay of the petitioner and release the salary.

For Petitioner (In all W.Ps.)	: Mr.T.Mohamed Mohideen
For R1 & R4 (In all W.Ps.)	: Mr.G.Suriya Ananth Additional Government Pleader
For R2 (In all W.Ps.)	: Mr.S.Shaji Bino, Special Government Pleader
For R3 (In all W.Ps.)	: Mr.T.Cibi Chakraborty, Standing counsel

COMMON ORDER

It is brought to the notice of this Court that the impugned order dated 15.12.2023, refixing the scale of pay to the non-teaching staff of the University, came to be passed without putting the petitioners on notice. Such an exercise would amount to violation of principles of natural justice.

2.The learned counsel for the third respondent fairly conceded that the matter may be remanded back to the third respondent for considering the matter afresh.



3.In view of the same, the impugned order is hereby set aside and third respondent University is directed to put the petitioners on notice and thereafter, pass appropriate orders in accordance with law. Further, the State Government is directed to fix the original pay scale of the petitioners.

4.These writ petitions are allowed with the above directions. No costs. Consequently, connected miscellaneous petitions are closed.

05.01.2024

NCC : Yes
Index : Yes
Internet : Yes
Mrn

Note:- Issue order copy on **09.01.2024**.

To
1.Secretary to Government,
Higher Education Department,
State of Tamil Nadu,
Secretariat,
Chennai.
2.Secretary to Government,
Finance Department,
State of Tamil Nadu
Secretariat,
Chennai.
3.The Director,
Local Fund Audit,
Chennai.



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W.P.(MD).Nos.302 to 305 of 2



L.VICTORIA GOWRI, J.

Mrn

W.P.(MD).Nos.302 to 305 of 2024

05.01.2024