



W.P(MD)No.493 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.01.2024**

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THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.493 of 2024

and

W.M.P(MD)No.515 of 2024

R.Hemalatha

... Petitioner

Vs.

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

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

3.The Registrar,
Madurai Kamaraj University,
Madurai.

4.The Director,
Local Fund Audit,
Chennai.

... Respondents

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 entire records connected with the order of re-fixation of scale of pay in Memo.No. Estt.I/MKU/Refix/2023, dated 15.12.2023 passed by



W.P(MD)No.493 of 2024

the respondent No. 3 and quash the same, consequently directing the respondent No. 3 to restore the original scale of pay and release the salary to the petitioner.

For Petitioner : Mr.S.Malaikani

For R1,R2 & R4 : Mr.G.Suriyaananth
Additional Government Pleader

For R3 : Mr.T.Cibi Chakraborty
Standing Counsel

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 petitioner on notice. Such an exercise would amount to violation of principles of natural justice.

2. The learned Standing 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 order impugned in the writ petition is set aside and the third respondent University is directed to put the



W.P(MD)No.493 of 2024

petitioner on notice and provide opportunity of being heard and thereafter, pass appropriate orders in accordance with law. Further, the State Government is directed to fix the original pay scale of the petitioner.

4. With the above said directions, this Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

09.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

The Registrar,
Madurai Kamaraj University,
Madurai.



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W.P(MD)No.493 of 2024

L.VICTORIA GOWRI,J.

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Order made in
W.P(MD)No.493 of 2024

Dated:
09.01.2024