



W.P.(MD).Nos.500, 587 to 616 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).Nos.500, 587 to 616 of 2024
and W.M.P(MD) Nos.598 to 601, 603 to 626,
629 and 646 of 2024

In W.P(MD)No.500 of 2024

S.Mekala

...Petitioner

-Vs-

- 1.The State of Tamil Nadu,
Rep. By its Secretary,
Higher Education Department,
Secretariat, Chennai.
- 2.The State of Tamil Nadu,
Rep. By its Secretary,
Finance Department,
Secretariat, Chennai.
- 3.The Registrar,
Madurai Kamaraj University,
Madurai-625 021.
- 4.The Director of Local Fund Audit,
Perasiriyar Ka.Anbalagan Building,
Integrated Finance Department Complex,
Nandanam, Chennai-35.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the order of refixation of Scale of Pay in Memo No.Esst.I/MKU/Refix/2023, dated 15.12.2023 passed by 3rd respondent and quash the same and further direct the 3rd respondent to restore the original scale of pay of the petitioner and release the salary.

For Petitioner : Mr.K.Ponnaiah
For R1 : Mr.G.Suriyaanathi
Additional Government Pleader
For R2,R4 : Mr.S.Shaji Bino
Special Government Pleader
For R3 : 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.



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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 impugned order is hereby set aside and third respondent University is directed to put the petitioners 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 petitioners.

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

10.01.2024

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



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- 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 Director,
Local Fund Audit,
Chennai.
- 4.The Director,
Department of Local Fund Audit,
No.571, Officers Building,
Veterinary Hospital Campus,
4th Floor, Nandanam,
Chennai – 600035



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L.VICTORIA GOWRI, J.

PNM

**COMMON ORDER IN
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