



W.P.(MD)No.8710 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH
COURT**

DATED : 16.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

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Dr.Durai. Panneerchelvam

.. Petitioner

Vs.

1. The State of Tamil Nadu Represented by
the Secretary to Government,
Higher Education Department,
Secretariat,
Chennai - 9.

2. The Director of Collegiate Education,
College Road,
Nungambakkam,
Chennai - 600 034.

3. The Regional Joint Director of Collegiate Education,
Near Sarafoji College,
Thanjavur - 5.



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4. Thamilavel Uma Maheswaranar,
Karanthai Arts College, Karanthai,
Thanjavur - 613 002,
Represented by the Secretary R.Sundaravadhanam,
Karanthai,
Thanjavur - 2.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 28.12.2023 and to provide the petitioner the said benefits for 254 days and the attendants benefits which involves promotion and monetary benefits etc.

For Petitioner : Mr.S.K.Mani

For Respondents : Mr.S.Siddharthan

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 28.12.2023 and to provide the petitioner the said



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benefits for 254 days and the attendants benefits which involves promotion and monetary benefits etc.

2. Heard Mr.S.K.Mani, learned counsel appearing for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents.

3. The petitioner had been placed under suspension and thereafter removed from service for a total period of 254 days. Thereafter the petitioner had retired from service on 31.12.2018. The other Associate Professor by name Dr.S.Senthilkumar who also involved in the same disciplinary action has been given the benefit of continuity of service of 254 days and the said period of 254 days has been regularised. Since the petitioner is also similarly placed he has filed this writ petition seeking the similar relief.



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4. The learned counsel for the respondent submitted that the co-delinquent by name S.Senthilkumar has also given with the benefit of treating the 254 days as continuous service along with all wages. But So far no order has been passed in the petitioner's representation, the petitioner has filed writ petition seeking a direction to the respondents to consider the representation of the petitioner dated 28.12.2023.

5. The petitioner submitted that similarly placed person by name S.Senthilkumar has got the order in his favour. If the other employee's service in respect of 254 days of removal of service is regularised, then a different yardstick cannot be applied to the petitioner by putting him at a disadvantage. However no order has been passed so far on the representation given by the petitioner in this regard.



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6. Hence, the third respondent is directed to consider the representation of the petitioner dated 28.12.2023 and pass orders on its own merits and also taking into consideration of the earlier order passed in respect of the co-delinquent within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is **disposed of**. No Costs.

16.04.2024

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

PJL

To
1. The Secretary to Government,
State of Tamil Nadu,
Higher Education Department,
Secretariat,
Chennai - 9.

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R.N.MANJULA, J.

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