



WP(MD) No.22514 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.22514 of 2023

T.R.Ganesh Babu

... Petitioner

Vs.

1.The Registrar,
Anna University,
12, Sardar Patel Road,
Guindy,
Chennai – 600 025.

2.The Secretary and Correspondent,
K.L.N.College of Engineering,
Pottapalayam,
Sivagangai.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to direct the second respondent to settle all the retirement benefits of the petitioner and release the pending salary along with back wages and dispose of the same on merits within a time frame fixed by this Court.

For Petitioner : Mr.S.Muthukumar

For Respondents : Mr.John Rajadurai - for R.1

: Mr.R.G.Shankar Ganesh - for R.2

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the first respondent to direct the second respondent to settle all the retirement benefits of the petitioner and



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release the pending salary along with backwages and dispose of the same on merits.

2. Heard Mr.S.Muthukumar, learned counsel for the petitioner, Mr.John Rajadurai, learned counsel appearing for the first respondent and Mr.R.G.Shankar Ganesh, learned counsel appearing for the second respondent.

3. The petitioner was working as Clerk in the second respondent College from 01.10.1999 to 28.01.2022. During Covid-19 pandemic, 50% of salary was deducted and he was given with the pay of 50% only from the time 29.05.2020 to 28.01.2022. He was given a representation to the second respondent to settle all the retirement benefits to the petitioner and release the pending salary along with back wages.



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4. The learned counsel for the second respondent submitted that the writ petition is not maintainable, because, the second respondent is a Minority Institution. It is further submitted that 50% salary was paid to all the employees during Covid-19 pandemic period and this petitioner has filed this petition seeking parity with the Government servant and it is not possible.

5. The petitioner himself has admitted that during Covid-19 pandemic, the institutions were closed and the second respondent institution also did not collect any fees from the students. The petitioner has filed this writ petition against the private party, even though the first respondent has been added as a formal party.

6. However, it is upto the second respondent to consider the representation of the petitioner and pass orders on merits, even though this writ petition is not maintainable.



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7. With the above observation, this writ petition is disposed of. No costs.

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

RM



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To

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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.22514 of 2023

Dated:
29.04.2024