



W.P.(MD)No.14092 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2024

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.14092 of 2017

and

W.M.P.(MD).Nos.11024 to 11026 of 2017

N.Saravanan

... Petitioner

Vs.

The Registrar,
Anna University,
Sardar Patel Road,
Guindy,
Chennai-600 025.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the impugned order in Procs.No.351/PR26/17, dated 06.07.2017, issued by the respondent and quash the same in respect of refixation of the petitioner's salary and the order of adjustment of the excess amount against the arrears due to the petitioner and consequently direct the respondent to refix the salary of the petitioner as per the terms and conditions in the petitioner's appointment order dated 03.08.2009 issued by Anna University, Tirunelveli.

For Petitioner : Mr.Sachin Rahul
for Mr.C.Arul Vadivel @ Sekar



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For Respondent : Mr.E.V.N.Siva,
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned order dated 06.07.2017, issued by the respondent rejecting the petitioner's request for refixation of his salary as per terms and conditions of his appointment order dated 03.08.2009, issued by the Anna University, Tirunelveli.

2. The impugned order is a non-speaking order as no reasons have been given for rejecting the petitioner's request. The petitioner claims that as per the appointment order dated 03.08.2009, issued by the Anna University, Tirunelveli, he was granted five incentive increments for his previous experience and two more incentive increments for completion of the Master's Degree. However, despite the said fact based on an audit objection without giving an opportunity of hearing to the petitioner, the impugned order dated 06.07.2017, came to be passed by the respondent rejecting the petitioner's request.

3. Several contentions have been raised in this Writ Petition with regard to the petitioner's claim as made in this Writ Petition. However, as seen from



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the impugned order dated 06.07.2017, no reasons whatsoever have been given by the respondent for rejecting the petitioner's request. Therefore, necessarily the impugned order has to be quashed due to the fact that it is a non-speaking order and the principles of natural justice has not been adhered to.

4. Accordingly, the impugned order dated 06.07.2017, passed by the respondent, is hereby quashed, insofar as the petitioner is concerned and the matter is remanded back to the respondent for fresh consideration on merits and in accordance with law. The respondent is directed to pass final orders as directed by this Court in this order within a period of eight weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner, including granting him right of personal hearing.

5. With the aforesaid direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

06.09.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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To
The Registrar,
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ABDUL QUDDHOSE, J.

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