



CONT.P.(MD)No.2517 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.09.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont.P.(MD)No.2517 of 2023

in

W.P.(MD)No.10140 of 2023

1.T.Rajini Sheeba

2.L.Sivakami

3.S.Usha Bagavathi

4.P.Vijayalakshmi

5.K.P.Veena

6.E.Shanmugam Pillai

7.M.Sivasubramoniam

... Petitioners

(Petitioners 2 to 7 are suo motu impleaded vide order dated 18.09.2024 in Cont.P.(MD)No.2517 of 2023 by GRSJ)

Vs.

1.P.Ananda Padma Kumar,
The Correspondent/General Secretary,
Kalaivanar N.S.K. Polytechnic College,
Chenbagaramanputhur,
Kanyakumari District.

2.R. Nagalingam,
The Principal,
Kalaivanar N.S.K. Polytechnic College,

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Chenbagaramanputhur,
Kanyakumari District.

... Respondents

Prayer: Contempt petition is filed under Section 11 of the Contempt of Courts Act, to punish the Respondents for the deliberate and willful disobedience of the order dated 02.06.2023 passed by this Court in W.P.(MD).No.10140 of 2023.

For Petitioners : Mr.V.Karthiraja,
For M/s.Ajmal Associates.

For Respondents : Mr.S.C.Herold Singh

ORDER

Heard both sides.

2.The petitioners herein were the employees of Kalaivanar N.S.K.Ploytechnic College, Chenbagaramanputhur, Kanyakumari District. They had not been paid their salary since April 2020. They therefore filed W.P.(MD)Nos.10140 to 10146 of 2023 before this Court. The prayer in the writ petitions was two fold. They wanted the college to constitute the grievance redressal committee as per AICTE Regulation and for disbursement of their salary arrears and other monetary dues.



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The writ petitions were disposed of on 02.06.2023 since the learned counsel for the college management submitted that the grievance redressal committee will be constituted. Contending that the undertaking was not complied with, this contempt petition came to be filed.

3.During the pendency of the contempt petition, it was submitted by the college management that grievance redressal committee has been constituted.

4.As rightly submitted by the learned counsel for the petitioners, constitution of the committee has to be with a certain purpose. Mere constitution of the committee is not going to take the matter anywhere. The copy of the minutes of the committee dated 14.07.2024 drawn by the committee has been produced before me. It reads as follows:-

“(i) The Committee recommends that, the individuals Smt.L.Sivakami and Smt.S.Usha Bagavathi may be permitted to resume their work with a condition that the period of abandoning service shall not be claimed as their



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length of employment for any purpose.

(ii) The Committee recommends that, to pay the salary if any payable on account of their employment on its financial position as per the management resolutions on various dates.

(iii) The Committee also suggest that, the Management Committee to pay more attention to raise the admissions of students by way of making advertisement and etc.”

5.It is stated that the financial condition of the college is not good and that is why, the management is not able to settle the salary arrears of the petitioners. The petitioners in unison state that they have not paid salary arrears since April 2020. Admittedly, the college management has also not terminated them from service till date. The petitioners are not claiming their salary as per the UGC scale of pay. The learned counsel for the petitioners states that they would be satisfied if the admitted salary arrears are paid. It is seen therefrom that the monthly salary of the petitioners would come around Rs.27,000/-. Even a rough calculation would indicate that each of the petitioner will have to be paid not less than a sum of Rs.10,00,000/-.



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6.Taking into account the admitted position and the prayer made in the writ petitions, I direct the management of Kalaivanar N.S.K.Ploytechnic College, Chenbagaramanputhur, Kanyakumari District to pay a sum of Rs.10,00,000/- to each of the petitioner herein towards full and final settlement of their claims. It is stated that the college is being run by a trust. It is for the trust to raise funds to settle the petitioners' legitimate claims. The management is given ten weeks from today to settle the dues. If this direction is not complied with, it is open to the petitioners herein to move this Court again.

7.With the aforesaid direction, this contempt petition is closed.

18.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

ias

To:-

1.P.Ananda Padma Kumar,
The Correspondent/General Secretary,
Kalaivanar N.S.K. Polytechnic College,
Chenbagaramanputhur,
Kanyakumari District.

2.R. Nagalingam,
The Principal,
Kalaivanar N.S.K. Polytechnic College,
Chenbagaramanputhur,
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in
W.P.(MD)No.10140 of 2023

18.09.2024
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