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WA No.2973 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-10-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE S.SOUNTHAR

W.A No.2973 of 2025

and C.M.P.No.23938 of 2025

Annamalai University
Rep by its Registrar, Annamalai Nagar,
Chidambaram, Cuddalore District 608 002

..Appellant

Vs

K.Balan
S/o P.Krishnamurthy
G3, Sivan Arul Apartment
63, East Car Street
Chidambaram 608 001

.. Respondent

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 25.03.2024 as amended on 25.04.2024 made in W.P.No.3049 of 2023.

For Appellant : Mr.S.Nambi Arooran
for M/s.Ajmal Associates

For Respondents : Ms.H.Nandhini
for M/s.R.Krishnaswamy



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JUDGMENT

(Judgment of the Court was delivered by R.Suresh Kumar J.)

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This intra Court appeal has arisen out of the order passed by the Writ Court dated 25.04.2024 in W.P.No.3049 of 2023. In fact the impugned order was a common order passed by the Writ Court in a number of writ petitions.

2. As against the very same common order, in respect of W.P.Nos.3044 and 3041 of 2023, already W.A.Nos.2820 and 2838 of 2025 were filed by the very same appellant University, which were disposed of by a Division Bench of this Court, in which one of us (R.Suresh Kumar, J.) was a party, by order dated 06.10.2025. The relevant portion of the order reads thus,

" 2. As against the very same order already W.A.No.2779 of 2025 was filed by the very same appellant University, where, we have passed an order on 18.09.2025, of course after getting an undertaking affidavit filed in this regard on behalf of the University. The relevant portion of the order reads thus,

4.During the last hearing while making some arguments, the learned Senior Counsel appearing for the University submitted that since the University is in severe financial crunch, every time it depends upon the Government for the bulk disbursal of the amount, as the generation of funds for the University is getting reduced considerably because of closure of Distance Education programme, it takes reasonable time to comply with the



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orders passed by the Writ Court. In that regard, it was directed to file an undertaking affidavit within which time such compliance could be made by the University. Pursuant to the same, today when the matter is taken up for hearing, the learned Senior Counsel appearing for the University has stated that the Registrar of the University has filed an undertaking affidavit dated 16.09.2025 where inter alia the following has been stated:

4.I respectfully state that the Appellant University is in financial crunch. In view of closure of Distance Centres run by the University at various places, the revenue of the University has come to a stand-still. The Appellant University has been expecting the grants every time from the Government of Tamil Nadu to pay salary and pension etc. to the teaching/non-teaching staffs of the appellant University. The grants released by the Government of Tamil Nadu though is handsome compared to other universities, it is not enough to satisfy the requirements of the University. The request made by the Appellant University to the Government of Tamil Nadu to release the grants to pay the balance retirement benefits of the petitioner and the similarly placed persons is in process. As soon as the grants from the government is received, the Appellant University shall pay the balance retirement benefits such as earned and unearned leave to the petitioner. In so far as the petitioner is concerned, he was paid gratuity in full. I undertake to settle the balance retirement benefits payable to the petitioner within four months from today without fail.



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5. Relying upon these averments made in the undertaking affidavit, the learned Senior Counsel would contend that within a reasonable period as indicated in Paragraph 4 of the undertaking affidavit, the entire payment to be settled to the petitioner would be settled.

6. In this context, Mr. V. Ajoy Khose, learned counsel for the respondent would submit that though the respondent/writ petitioner has already retired from service, he has not been paid the retirement benefits. By virtue of the same, he and his family is suffering a lot and therefore, if earliest disbursal is made by the University that would be helpful to the respondent/writ petitioner and his family.

7. Having taken note of all these factual matrices and having regard to the submissions made by the learned counsel on either side, we are inclined to dispose of the Writ Appeal with the following directions:

(i) As undertaken by the University, it shall disburse the retirement benefits payable to the respondent/writ petitioner within a period of three (3) months from the date of receipt of a copy of this order.

(ii) Once such disbursal is made, there can be no further issue pending between them i.e., the respondent/writ petitioner and the University for adjudication.

8. In that view of the matter, with the above directions, this Writ Appeal is disposed of. No costs. Consequently connected miscellaneous petition is closed."



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3. In view of the aforesaid order, this writ appeal is disposed of with the following orders.

(i) As undertaken by the University, it shall disburse the retirement benefits payable to the respondent/writ petitioner within a period of three (3) months from the date of receipt of a copy of this order.

(ii) Once such disbursal is made, there can be no further issue pending between them i.e., the respondent/writ petitioner and the University for adjudication.

4. With the above directions, this writ appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (S.S.,J.)
24-10-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



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To
The Registrar
Annamalai University
Annamalai Nagar, Chidambaram,
Cuddalore District 608 002



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**R.SURESH KUMAR, J.
AND
S.SOUNTHAR, J.**

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