



WEB COPY



W.P. No.2004 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.2004 of 2016

and

W.M.P.Nos.1746 &1747 of 2016 and 250 of 2019

A.G.Maragathamani

... Petitioner

Vs.

1. Government of Tamil Nadu
Rep. by the Secretary,
Finance Department,
Secretariat, Chennai – 600 009.
2. The Director of Collegiate Education,
College Road, Chennai – 600 006.
3. The Joint Director of Collegiate Education,
Chennai Region, Chennai – 600 015.
4. The Secretary,
Pachaiyappas College,
Chennai – 600 030.
5. The Principal,
Pachaiyappas College,
Chennai – 600 030.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari calling for the records pertaining to the proceedings in Na.Ka.No.8845/E1/2013, dated 13.11.2013 issued by the



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3rd respondent, quash the same.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.C.Jayaprakash
Government Advocate.

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ORDER

This writ petition has been filed questioning the proceedings in Na.Ka.No.8845/E1/2013, dated 13.11.2013 issued by the 3rd respondent revising the pay of the petitioner, and thereby ordering for recovery of certain amounts from the petitioner.

2. From the perusal of the impugned proceedings, it is evident that the said proceedings was issued without affording any opportunity to the petitioner, but prejudicially affecting the petitioner, including financially. Though the respondent Nos.1 to 3 have filed their counter affidavit, there is nothing to show that the petitioner was afforded any opportunity before passing the impugned proceedings.

3. This Court, while entertaining the writ petition, thought it fit to stay the recovery alone. Hence, no recovery has been effected from the



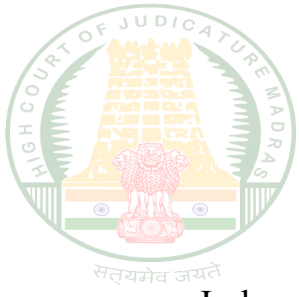
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petitioner so far.

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4. As the impugned proceeding was issued is in violation of principles of natural justice, this Court is of the considered view that it is a fit case where the impugned proceedings is liable to be set aside, and the matter should be remanded back to the 3rd respondent for passing an order afresh by duly affording an opportunity to the petitioner. Accordingly, the impugned proceedings dated 13.11.2013 is hereby quashed, and the matter is remanded back to the 3rd respondent for passing an order afresh, by duly affording an opportunity to the petitioner pending the passing of the orders afresh. The respondents are directed to maintain status quo in all aspects. The 3rd respondent is further directed to pass orders as directed above as expeditiously as possible, at any rate within a period of two (2) months from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is disposed of. The connected miscellaneous petitions, if any, shall stand closed. No costs.



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Index : Yes/No
Speaking Order : Yes/No
dpa

To:

- 1.The Secretary,
Government of Tamil Nadu
Finance Department,
Secretariat, Chennai – 600 009.
- 2.The Director of Collegiate Education,
College Road, Chennai – 600 006.
- 3.The Joint Director of Collegiate Education,
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- 4.The Secretary,
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- 5.The Principal,
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MUMMINENI SUDHEER KUMAR,J.

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