

W.P. No.33831 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 08.09.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. No.33831 of 2025

G. Babu

.... Petitioner

vs.

1. The Secretary to Government,
of Tamil Nadu
Higher Education Department,
Fort St. George
Chennai – 600 009.

2. The Registrar
Annamalai University,
Annamalai Nagar,
Chidambaram – 608 002.

3. The Director,
Directorate of Distance Education,
Annamalai University,
Chidambaram – 608 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents to relieve me and pay my salary arrears and all my retirement benefits including my PF and Gratuity with applicable interest.



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For petitioner : Mr.P. Muthusamy

For respondents: Mr.K. Surendran

Addl. Government Pleader for R1

Ms.H. Mary Sowmi Rex

for M/s.Isaac Chambers for RR2 & 3

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself. Mr.K. Surendran, learned Additional Government Pleader takes notice for the 1st respondent and Ms.H.Mary Sowmi Rex, learned counsel takes notice for the respondents 2 and 3.

2. This writ petition has been filed for a Mandamus seeking direction to the respondents to relieve the petitioner from service as well as to pay his salary arrears and all his retirement benefits including his PF and Gratuity with applicable interest.

3. It is averred that the petitioner was initially appointed as Special Officer in the respondent University and later after completion of his probation, he was promoted as Assistant Section Officer in the Department of DDE-



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Admin – Psychology. When things stood thus, suddenly on 31.09.2021, he

had suffered a stroke and thereby, his right leg as well as hand, got paralysed. It is the case of the petitioner that due to paralytic attack, he was unable to attend the office for the past three years and nine months and still he is undergoing treatment. Thereafter, on 18.12.2024, he submitted a representation along with his medical records to the respondent University. Due to his ill-health, he could not attend office and his last drawn salary was for the month of October 2021. It is further stated that his retirement is due on 31.07.2026. In such circumstances, he had submitted his intention for voluntary retirement to the respondent / University. However, it is the contention of the petitioner that he was neither relieved from service nor any payments viz., salary / other terminal benefits were paid to him by the respondents, till date. It is the grievance of the petitioner that the respondents failed to take into account his health condition and further due to non-settling of his dues, his livelihood was greatly affected. Hence this writ petition.

4. Learned counsel for the petitioner would submit that due to poor health condition, the petitioner is suffering a lot physically as well as suffering mentally due to financial constraints. Hence, he prays that the relief sought for



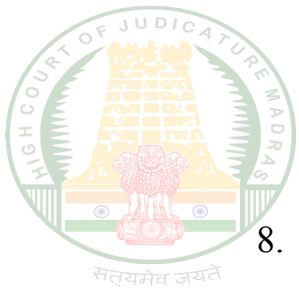
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may be granted and appropriate directions may be issued to the respondents in the above regard by fixing the time limit.

5. Learned counsel for the respondents 2 and 3 would submit that the petitioner has availed long leave on medical grounds and as such, his case was referred to Medical Board. Further, she would submit that despite directions issued, the petitioner failed to appear before the Medical Board. On that score, she prays before this Court that the petitioner may be directed accordingly to appear before the Medical Board.

6. Replying to the said submission made by the learned counsel for the respondents 2 and 3, learned counsel for the petitioner submits that day by day, the condition of the petitioner is worsening and considering the same, this Court may issue suitable directions to the respondents.

7. Heard the learned counsel appearing for either sides and perused the materials placed before this Court.



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8. It is not in dispute that the petitioner has not appeared before the Medical Board. Though this Court considered the condition of the petitioner, sympathetically, it is the normal practice that once any reference was made to the Medical Board, the person concerned, in the instant case, the petitioner has to appear before the Medical Board, positively, which will facilitate the Medical Board to send a report to the respondents. At the same time, this Court considering the pain and sufferings of the petitioner is inclined to issue directions to the respondents to consider the representation of the petitioner as expeditiously as possible.

9. Considering all, this Court issues the following directions :-

i) the petitioner is directed to appear before the Medical Board, within a period of two weeks from the date of receipt of a copy of this order.

ii) On such appearance, the Medical Board shall examine the petitioner and submit a report to the respondent – University, within a period of four weeks thereafter.



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iii) On receipt of a report from the Medical Board, the respondents shall consider the representation with regard to relieving the petitioner from service and pass orders on merits and in accordance with law, within a period of six weeks thereafter.

iv) However, it is made clear that the statutory compliances, if any, to be strictly adhered by all the parties. More particularly, the parties are directed to follow the time schedule fixed by this Court, strictly.

10. With the above directions, this writ petition stands disposed of. No costs.

08.09.2025

Index: Yes/ No
Internet : Yes / No
Speaking order / Non speaking order
Neutral citation : Yes / No

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To

1. The Secretary to Government,
of Tamil Nadu
Higher Education Department,
Fort St. George
Chennai – 600 009.



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A.D. JAGADISH CHANDIRA, J.

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2. The Registrar
Annamalai University,
Annamalai Nagar,
Chidambaram – 608 002.

3. The Director,
Directorate of Distance Education,
Annamalai University,
Chidambaram – 608 002.

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