

W.P.(MD)No.8821 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2025

CORAM:

THE HON'BLE MR.JUSTICE BATTU DEVANAND

W.P.(MD).No.8821 of 2025
and
W.M.P(MD)No.6597 of 2025

M.Balasubramanian

... Petitioner

Vs.

1. The Vice-Chancellor,
Alagappa University,
Alagappapuram, Karaikudi,
Sivagangai District – 630 003.

2. The Registrar,
Alagappa University,
Alagappapuram, Karaikudi,
Sivagangai District – 630 003.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order issued by the 2nd respondent Registrar in RC.A6/Estt./DR/Pay Re-Fixation/2025 dated 20.03.2025, quash the same.

For Petitioner : Mr.K.Ragatheesh Kumar

For Respondents : Mr.T.Cibi Chakraboorthy
Standing Counsel



W.P.(MD)No.8821 of 2025

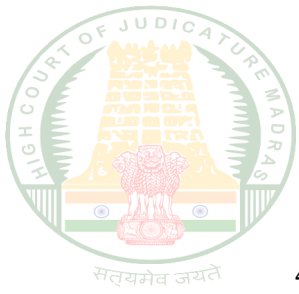
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ORDER

Heard the learned counsel for the petitioner and Mr.T.Cibi Chackraboorthy, learned Standing Counsel for the respondents.

2. The case of the petitioner is that he is working as a Deputy Registrar in the 2nd respondent university. Originally he was appointed as a Junior Assistant in the year 1988 and thereafter, he got several promotions and now he is working as a Deputy Registrar and due to retire from service on 30.04.2025. The 2nd respondent issued the impugned order dated 20.03.2025, refixing the pay of the petitioner. Aggrieved by the same, the petitioner approached this Court.

3. On perusal of the order impugned in this writ petition, it reveals that basing on the regularization of the finance committee dated 07.03.2024 and as per the order of the 1st respondent dated 29.08.2024 and 19.03.2025, the pay of the petitioner is refixed in the post of Deputy Registrar. It is also mentioned in the impugned order that due to re-fixation of pay from the date of joining as Deputy Registrar to till date pay arrears if any, acquired will be paid to him or the excess amount, if any may also be recovered from the petitioner as per the norms.



W.P.(MD)No.8821 of 2025

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4. The learned counsel for the petitioner contends that the impugned order was passed in gross violation of principles of natural justice, in view of the fact that neither any notice nor any opportunity was provided to him. Accordingly, he sought to quash the same.

5. Having considered the facts and circumstances of the case and on perusal of the impugned order, it discloses that no opportunity was provided to the petitioner or no notice was issued to him before passing the said order. As such it is in clear violation of principles of natural justice. As such the said order is not sustainable under law.

6. Accordingly, this writ petition is allowed.

7. The impugned order dated 20.03.2025 is quashed and the matter is remitted back to the 2nd respondent to pass orders afresh after providing opportunity to the petitioner and pass appropriate orders by following due process of law.

28.03.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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W.P.(MD)No.8821 of 2025

BATTU DEVANAND, J.

rgm

To

1. The Vice-Chancellor,
Alagappa University,
Alagappapuram, Karaikudi,
Sivagangai District – 630 003.
2. The Registrar,
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Alagappapuram, Karaikudi,
Sivagangai District – 630 003.

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