

W.P.(MD)No.12983 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.12983 of 2025

V.Selvan

... Petitioner

Vs.

1.The State of TamilNadu,
Rep. by its Secretary,
Department of Higher Education,
Fort St. George,
Chennai-600 009.

2. The Director of Collegiate Education,
College Road, Chennai-600 006.

3. The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli-627 002.

4. The Correspondent cum Secretary,
St. John's College, Palayamkottai,
Tirunelveli-627 002.
Respondents

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to sanction and disburse forthwith all the monetary benefits i.e., arrears of salary and other attendant benefits to the petitioner from the date of his appointment approval w.e.f. 17.06.2009 along with interest to a tune of 8.5%.



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For Petitioner : Mr.T.Cibichakraborty

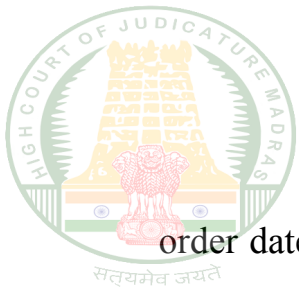
For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

The present writ petition has been filled by the Assistant Professor working in the aided minority institution, seeking a Mandamus to disburse his arrears of salary from the date of his appointment i.e., on 17.06.2009.

2. According to the learned counsel for the petitioner, the petitioner was appointed as an Assistant Professor in the Mathematics Department of the fourth respondent college after getting appropriate permission for filling up the said post. He was appointed on 17.06.2009 and the order of appointment was sent for approval to the authorities.

3. The third respondent herein vide his order, dated 10.03.2020, approved the appointment of the writ petitioner with effect from 17.06.2009. However, by an order dated 12.03.2020, the order of granting approval was cancelled by the third respondent. Thereafter, the second respondent by an



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order dated 19.04.2021, recalled the order of the third respondent and granted

approval of the appointment of the petitioner and the salary was paid with effect from May 2022. After granting approval of appointment of the petitioner by the Director of Collegiate Education, on 19.04.2021, the petitioner was granted monthly salary only from May 2022 onwards. The present writ petition has been filed seeking a direction as against the authorities to disburse the arrears of salary from 17.06.2009 to till April 2022 with all attendant benefits.

4. In fact, this Court has already dealt with an identical issue in W.P.(MD).No.10227 of 2025. The said writ petition was allowed by an order dated 22.04.2025, with a direction to the respondents to disburse all the monetary benefits including arrears of salary from 17.06.2009 onwards till April 2022 within a period of eight weeks from the date of receipt of a copy of the order.

5. The relevant portion of the said order is extracted hereunder.

"8. There is no dispute that the petitioner's appointment as Assistant Professor in the 4th respondent college has been approved by the competent authorities with effect from 17.06.2009. However,



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the grant-in-aid with regard to the salary of the petitioner is been made only from May 2022 onwards. Despite an order passed by this Court in W.P(MD)No.7642 of 2020, dated 26.07.2021, the authorities have not chosen to disburse the arrears of salary from 17.06.2009 till April 2022. The petitioner has not received the salary for so many years in view of the lethargic attitude on the part of the authorities. After having approved the appointment of the writ petitioner, they cannot withhold the salary citing financial crunch, especially when they have released the arrears of salary to another Assistant Professor working in the same college, who was appointed on the same day.

9. In view of the above said facts, the writ petition stands allowed. The respondents herein are directed to disburse all the monetary benefits including arrears of salary from 17.06.2009 onwards till April 2022 within a period of directed to strictly comply with the time limit fixed by this Court."

6. In the present case also the respondents did not pay the arrears of salary from 17.06.2009 to till April 2022 to the petitioner.

7. In view of the above, this writ petition is allowed with the following directions :



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WEB COPY i) The respondents herein are directed to disburse all the monetary benefits including arrears of salary from 17.06.2009 onwards till April 2022 within a period of eight weeks from the date of receipt of a copy of this order. The authorities are directed to strictly comply with the time limit fixed by this Court.

There shall be no order as to costs.

30.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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BATTU DEVANAND, J.

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To:

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2. The Director of Collegiate Education,
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