



W.P.(MD)No.13802 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.13802 of 2025

Women's Christian College,
Rep. by its Correspondent cum Secretary,
Nagercoil-629 001,
Kanyakumari District.

... Petitioner

Vs.

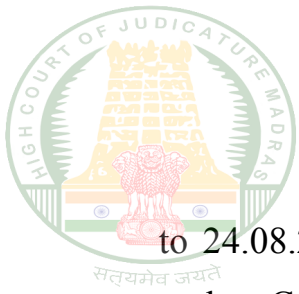
1. The State of TamilNadu,
Rep.by its Secretary,
Department of Higher Education,
Fort. St. George, Chennai-600 009.

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

3. The Joint Director of Collegiate Education,
Tirunelveli Region,
Palayamkottai,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent Joint Director to disburse the arrears of salary admissible to Dr.D.Rani Mila in the post of Assistant Professor (History) in the petitioner college for the period 24.02.2003



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to 24.08.2007 with all attendant consequential benefits including the benefits under CAS as per the proceedings of the Joint Director in Pa.Mu.No. 5457/E3/2018 dated 21.08.2023 and Mu.Nu.No.2152/E3/2024 dated 12.03.2024.

For Petitioner : Mr.K.Ragatheesh Kumar
For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader for the respondents. I have carefully perused the materials available on record.

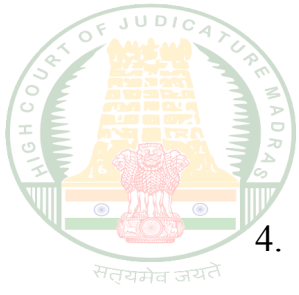
2. The petitioner is the Correspondent cum Secretary of the Women's Christian College which is a minority diocese institution. In the said college, one post of Assistant Professor (History) fell vacant due to the death of then incumbent Mrs.J.Nalini on 26.12.2002. In the said vacancy, the college appointed one Dr.D.Rani Mila, as Assistant Professor (History) with effect from 24.02.2003. Thereafter, the college submitted a proposal to the third respondent seeking for approval of appointment of the said Assistant Professor (History)



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with effect from 24.02.2003. The third respondent vide proceedings dated 22.12.2008, granted approval for appointment of the said Assistant Professor (History) with effect from 25.08.2007. But salary was disbursed only from the month of August, 2007 and not from the date of appointment. The arrears of salary from 24.02.2003 to 24.08.2007 is not disbursed till date. The petitioner has submitted representation to the third respondent for disbursement of arrears of salary. But the representation dated 19.12.2024 was not considered. Aggrieved by the inaction of the respondents and to consider the request of the petitioner, the present writ petition is filed.

3. On careful perusal of the materials available on record, it appears that the third respondent granted approval order dated 22.12.2008, wherein, the approval was granted with effect from 25.08.2007. As and when approval is granted with effect from 25.08.2007, the action of the third respondent in disbursing the salary only from the month of August, 2007 is illegal, unjust and in violation of Article 21 of the Constitution of India. Further the action of the third respondent in not considering the representation dated 19.12.2024 of the petitioner is unjust.



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4. For the reasons stated above, this writ petition is allowed with a direction to the third respondent to disburse those arrears of salary admissible to Dr.Rani Mila as Assistant Professor (History), for the period from 24.02.2003 to 24.08.2007 with all attendant consequential benefits within a period of eight weeks from the date of receipt of a copy of this order.

5. There shall be no order as to costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



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BATTU DEVANAND, J.

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