

W.P.(MD).No.16194 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.06.2025

CORAM:

THE HONOURABLE **MR.JUSTICE VIVEK KUMAR SINGH**

W.P.(MD)No.16194 of 2025

and

W.M.P.(MD)No.12278 & 12279 of 2025

The Secretary,
St. Mary's College (Autonomous),
Thoothukudi – 627 002,
Thoothukudi District.

... Petitioner

-VS-

1. The State of Tamil Nadu,
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 Regional Joint Director Of Collegiate Education,
Tirunelveli Region,
Palayamkottai,
Tirunelveli District.
4. The Treasury Officer,
District Treasury,
Tirunelveli District.
5. The Sub Treasury Officer,
Sub Treasury Office,
Tirunelveli District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned pre audit objections raised by the 5th respondent Sub - Treasury Officer in Pre - Audit No.613-B1 dated 11.03.2025, Quash the same as illegal and further Direct the 5th respondent Sub - Treasury Officer to disburse the salary forthwith to Dr.J.Shoba in the post of Assistant Professor in Zoology in the petitioner college w.e.f. 23.11.2023, with all attendant benefits including arrears of salary and allowances.

For Petitioner : Mr.A.Ragatheesh Kumar

For Respondents : Mr.T.Amjad Khan

Government Advocate

ORDER

This writ petition has been filed challenging the impugned pre audit objections raised by the 5th respondent in Pre - Audit No.613-B1 dated 11.03.2025 with a further direction to the 5th respondent to disburse the salary forthwith to Dr.J.Shoba in the post of 'Assistant Professor' in Zoology in the petitioner college w.e.f. 23.11.2023, with all attendant benefits, including arrears of salary and allowances.

2. Heard the learned counsel on either side.

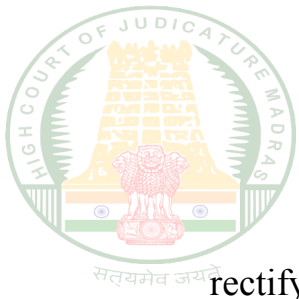


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3. The petitioner college is a minority educational institution. One Shoba was appointed as 'Assistant Professor' (Zoology) in the said college on 23.11.2023 and the petitioner college sent a proposal to the third respondent to approve her appointment and the third respondent also approved the said appointment. Pursuant to the same, the petitioner college submitted the pay bill in respect of the said Shoba to the third respondent on 27.12.2024, who in turn forwarded the same to the fifth respondent for disbursement of salary and arrears of salary. While this being so, the fifth respondent has returned the same stating that the petitioner college should enclose the copy of the approval given by the second respondent. The petitioner sent a representation to the third respondent seeking for the aforesaid relief and the third respondent has also sent a communication in this regard. However, again the fifth respondent, returned the pay bill on 11.03.2025. Challenging the same, this writ petition came to be filed.

4. The learned Government Advocate appearing for the respondents submitted that the impugned order is the communication between the fifth respondent and the third respondent. He further submitted that there are certain defects set out in the impugned order and if the third respondent, after



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rectifying the defects as set out in the impugned order, re-submits the pay bill, the same shall be considered by the respondents in accordance with law.

5. Considering the submissions made, the third respondent is directed to rectify the defects set out in the impugned order and forward the claim of the petitioner college to the fifth respondent seeking the aforesaid relief. On receipt of the same, the fifth respondent is directed to consider the same and release the arrears of salary and all other amounts payable to the said employee, namely, Shoba, without any further delay, preferably, within a period of four weeks from the date of receipt of such claim.

6. With the above directions, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

26.06.2025
(8/8)

NCC : Yes/No
Index : Yes / No
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1. The Secretary,
Department of Higher Education,
Fort St. George, Chennai - 600 009.
2. The Director of Collegiate Education,
College Road, Chennai 600 006.
3. The Regional Joint Director Of Collegiate Education,
Tirunelveli Region,
Palayamkottai,
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.16194 of 2025
(8/8)

Dated:
26.06.2025