



W.P.(MD)No.16339 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.16339 of 2025

Prabha P.Paul

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Higher Education,
Fort St. George, Chennai - 600 009.
- 2.The Commissioner / 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.
- 5.The Principal,
St. John's College (Autonomous),
Palayamkottai,
Tirunelveli – 627 002.

... Respondents



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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 the petitioner's appointment approval in the post of Assistant Professor in the Department of English in the 4th College for the period between 17.06.2009 to 12.07.2014.

For Petitioner : Mr.T.Cibi Chakraborty

For R1 to R3 : Mr.T.Amjadkhan
Government Advocate

ORDER

This Writ Petition has been filed seeking a 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 the petitioner's appointment approval in the post of Assistant Professor in the Department of English in the 4th College for the period between 17.06.2009 to 12.07.2014.

2. Heard the learned counsel for the petitioner and the learned Government Advocate, appearing on behalf of the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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3. When the matter was taken up for hearing, the learned counsels appearing for the parties submitted that the issue involved in this writ petition is squarely covered by the order of this Court dated 30.04.2025, passed in W.P.(MD)No.13663 of 2025 (***The Secretary Vs. The State of Tamil Nadu, Rep. by its Principal Secretary, Department of Higher Education***). The relevant portion of the said order is extracted hereunder:-

“On careful perusal of the materials available on record, it appears that the third respondent granted approval order dated 13.10.2022, wherein, the approval was granted with effect from the date of the appointment of the said Assistant Professors. As and when approval is granted with effect from their date of appointment, the action of the third respondent in disbursing the salary only from the month of October, 2022 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



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*representations dated 25.01.2025 and
01.02.2025 of the petitioner is unjust.*

5. 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 the five Assistant Professors as mentioned in the writ petition, who are all appointed as Assistant Professors in the petitioner college, for the period from the date of their appointment to 30.09.2022 with all attendant and consequential benefits within a period of eight weeks from the date of receipt of a copy of this order.”

4. In view of the same, by following the order stated supra, this Writ Petition is allowed with the following direction:-

The third respondent shall disburse the arrears of salary admissible to the petitioner as mentioned in the writ petition, who was appointed as Assistant Professor [English] in the fourth respondent



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College, for the period between 17.06.2009 and 12.07.2014 with all attendant and consequential benefits, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

19.06.2025

Index : Yes / No
NCC : Yes / No
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To

- 1.The Principal Secretary,
State of Tamil Nadu,
Department of Higher Education,
Fort St. George, Chennai - 600 009.
- 2.The Commissioner / Director of Collegiate Education,
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- 3.The Joint Director of Collegiate Education,
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VIVEK KUMAR SINGH, J.

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