

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2012

CORAM

THE HONOURABLE MR.JUSTICE D. HARIPARANTHAMAN

Writ Petition No.18527 of 2015

A.Belinda Asir

...Petitioner

Vs.

1. Director of Collegiate Education,
College Road, Chennai - 600 006.
2. The Joint Director of College Education,
Thirunelveli Region,
Thirunelveli-627 007.
3. The Registrar,
Manonmanium Sundaranar University,
Thirunelveli District.
4. The Secretary,
Scott Christian College,
Nagercoil, Kanyakumari District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent herein to approve and regularize the petitioner's appointment as Lecturer in English in the Scott Christian College, Nagercoil, in the sanctioned voluntary retirement vacancy of Mr.G.Allen Roy with effect from 01.06.2006 to 31.07.2007 in the light of approval given by the 1st respondent to the similarly placed person Mr.D.Deva Sampath, Mr.G.Isac Arul Dhas, Mr.D.Arul Dhas, Tmt.J.Premakumari, Tmt.J.Renuka Rathnavathi and appointment were approved by the 1st respondent in the proceedings in Na.Ka.No.19837/F2/2007 dated 14.03.2014 and Na.Ka.No.33733/F2/2005 dated 01.09.2014 based on the orders passed in W.P.Nos.36325 of 2003, 13119 of 2003 and 17368 of 2005 dated 11.12.2003, 21.01.2004 & 29.06.2005, W.A.Nos.140 of 2000, 811 of 2006 and 805 of 2007 common order dated 21.10.2010 and by Supreme Court order in SLP. Nos.19526-19528 of 2013 dated 29.11.2013 with monetary and service and all other benefits for the said period.

For Petitioner : Mr.A.V.Bharathi

For Respondents : Mrs.M.E.Raniselvam
Additional Government Pleader
for R1 to R3.
Mr.G.Sam Edwin Raj for R4

O R D E R

With consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner was appointed as a Lecturer in English in Scott Christian college, Nagercoil, in the sanctioned post on 01.06.2006, due to voluntary retirement of one G.Allen Roy. The qualification of the petitioner was also approved by the concerned University. The Joint Director also sanctioned the grant for the post with effect from 01.08.2007. The grievance of the petitioner is that the grant should be sanctioned from 01.06.2006 to 31.07.2007 also and the appointment of the petitioner shall be approved for the purpose of the grant from 01.06.2006 itself.

3. According to the petitioner, in the case of similarly placed persons, namely, Mr.D.Deva Sampath, Mr.G.Isac Arul Dhas, Mr.D.Arul Dhas, Tmt.J.Premakumari, Tmt.J.Renuka Rathnavathi, the appointments were approved by the Joint Director of College Education from the date of their initial appointment. In these circumstances, the petitioner made a representation dated 22.04.2015 to the Joint Director of College Education. However, no acknowledgement was filed.

4. In these circumstances, the writ petition is disposed of, permitting the petitioner to make a fresh representation to the 2nd respondent, namely, the Joint Director of College Education, Thirunelveli, seeking to approve the appointment of the petitioner for the purpose of grant from 01.06.2006, in the light of the aforesaid facts and in the light of the order dated 01.09.2014 made in W.P.Nos.36325 of 2003, 13119 of 2003 and 17368 of 2005 dated 11.12.2013 and the 2nd respondent is directed to consider the same and pass appropriate orders on the representation of the petitioner, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of the representation of the petitioner. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi

To

1. Director of Collegiate Education,
College Road,
Chennai - 600 006.
2. The Joint Director of College Education,
Thirunelveli Region,
Thirunelveli-627 007.
3. The Registrar,
Manonmanium Sundaranar University,
Thirunelveli District.
4. The Secretary,
Scott Christian College,
Nagercoil,
Kanyakumari District.

1 CC to Mr.A.V.Bharathi, Advocate SR.No. 31737

1 CC to the Government Pleader, SR.No. 31836

TEJ (CO)
PSI (03.07.2015)

W.P.No.18527 of 2015



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