

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.22400 to 22407 of 2016

- 1.Dr.M.Lakshmanamoorthy ...Petitioner in W.P.No.22400 of 2016
- 2.Dr.S.Prakash ...Petitioner in W.P.No.22401 of 2016
- 3.Dr.T.Athiperumalsami ...Petitioner in W.P.No.22402 of 2016
- 4.Dr.P.Packiaraj ...Petitioner in W.P.No.22403 of 2016
- 5.Dr.A.Saravanakumar ...Petitioner in W.P.No.22404 of 2016
- 6.Dr.M.S.S.Saravanakumar ...Petitioner in W.P.No.22405 of 2016
- 7.Dr.N.Venkatesubramanian ...Petitioner in W.P.No.22406 of 2016
- 8.Dr.N.S.Minimala ...Petitioner in W.P.No.22407 of 2016

-vs-

1. The Director of Collegiate Education
College Road
Chennai 600 006
2. The Joint Director of College Education
Madurai Region
Madurai 627 007.
3. The Secretary
Saraswathi Narayanan College
Perungudi
Madurai-625 022. ... Respondents in all WPs

Prayer in W.P.No.22400 of 2016:-

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent herein to approve the petitioner's appointment as Assistant Professor in History in the third respondent Saraswathi Narayanan College, Madurai, in the sanctioned retirement vacancy of Dr.K.N.Madesan with effect from 29.01.2015, in the light of approval given by the first respondent to the similarly placed persons like P.Ravichandran in order passed in W.A.No.2318 of 2011, dated 11.10.2013, Dr.D.Thampi Dharmaraj Kurupatham in Na.Ka.No.24810/F2/2015, dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others, in W.P.Nos.11004 to 11014 of 2005, dated 29.01.2015,

with monetary and all other attendant and service benefits, based on the representation given by the petitioner, dated 10.03.2016.

Prayer in W.P.No.22401 of 2016:

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st respondent herein to approve the petitioners appointment as Assistant Professor in Botany in the 3rd respondent Saraswathi Narayanan College Madurai in the sanctioned retirement vacancy of Dr.C.Sankara Narayanan with effect from 29.01.2015 in the light of approval given by the 1st respondent to the similarly placed persons like P.Ravichandran in order passed in W.A.No.2318 of 2011 dated 11.10.2013 Dr.D.Thampi Dharmaraj Kurupatham in Na.Ka.No.24810/ F2/2015 dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others in W.P.Nos.11004 to 11014 of 2005 dated 29.01.2015 with monetary and all other attendant and service benefits based on the representation given by the petitioner dated 10.03.2016.

Prayer in W.P.No.22402 of 2016

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st respondent herein to approve the petitioners appointment as Assistant Professor in Botany in the 3rd respondent Saraswathi Narayanan College Madurai in the sanctioned retirement vacancy of Dr.S.Murugesan with effect from 29.01.2015 in the light of approval given by the 1st respondent to the similarly placed persons like P.Ravichandran in order passed in W.A.No.2318 of 2011 dated 11.10.2013 Dr.D.Thampi Dharmaraj Kurupatham in Na.Ka.No.24810/ F2/2015 dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others in W.P.Nos.11004 to 11014 of 2005 dated 29.01.2015 with monetary and all other attendant and service benefits based on the representation given by the petitioner dated 10.03.2016.

Prayer in W.P.No.22403 of 2016

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st respondent herein to approve the petitioners appointment as Assistant Professor in Botany in the 3rd respondent Saraswathi Narayanan College Madurai in the sanctioned retirement vacancy of Dr.N.Paulraj with effect from 29.01.2015 in the light of approval given by the 1st respondent to the similarly placed persons like P.Ravichandran in order passed in W.A.No.2318 of 2011 dated 11.10.2013 Dr.D.Thampi Dharmaraj Kurupatham in

Na.Ka.No.24810/ F2/2015 dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others in W.P.Nos.11004 to 11014 of 2005 dated 29.01.2015 with monetary and all other attendant and service benefits based on the representation given by the petitioner dated 10.03.2016.

Prayer in W.P.No.22404 of 2016

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st respondent herein to approve the petitioners appointment as Assistant Professor in Botany in the 3rd respondent Saraswathi Narayanan College Madurai in the sanctioned retirement vacancy of Dr.M.Kumar with effect from 29.01.2015 in the light of approval given by the 1st respondent to the similarly placed persons like P.Ravichandran in order passed in W.A.No.2318 of 2011 dated 11.10.2013 Dr.D.Thampi Dharmaraj Kurupatham in Na.Ka.No.24810/ F2/2015 dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others in W.P.Nos.11004 to 11014 of 2005 dated 29.01.2015 with monetary and all other attendant and service benefits based on the representation given by the petitioner dated 10.03.2016.

Prayer in W.P.No.22405 of 2016

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st respondent herein to approve the petitioners appointment as Assistant Professor in Physics in the 3rd respondent Saraswathi Narayanan College Madurai in the sanctioned retirement vacancy of Mr.R.Sethuramanathan with effect from 29.01.2015 in the light of approval given by the 1st respondent to the similarly placed persons like P.Ravichandran in order passed in W.A.No.2318 of 2011 dated 11.10.2013 Dr.D.Thampi Dharmaraj Kurupatham in Na.Ka.No.24810/ F2/2015 dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others in W.P.Nos.11004 to 11014 of 2005 dated 29.01.2015 with monetary and all other attendant and service benefits based on the representation given by the Petitioner dated 10.03.2016.

Prayer in W.P.No.22406 of 2016

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st respondent herein to approve the petitioners appointment as Assistant Professor in Commerce in the 3rd respondent Saraswathi Narayanan College Madurai in the sanctioned retirement vacancy of Mr.V.Rangaraj with effect from 29.01.2015 in the light of approval given by the 1st respondent to the similarly placed

persons like P.Ravichandran in order passed in W.A.No.2318 of 2011 dated 11.10.2013 Dr.D.Thampi Dharmaraj Kurupatham in Na.Ka.No.24810/ F2/2015 dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others in W.P.Nos.11004 to 11014 of 2005 dated 29.01.2015 with monetary and all other attendant and service benefits based on the representation given by the petitioner dated 10.03.2016.

Prayer in W.P.No.22407 of 2016

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st respondent herein to approve the petitioners appointment as Assistant Professor in Physics in the 3rd respondent Saraswathi Narayanan College Madurai in the sanctioned retirement vacancy of Dr.O.Mahendran with effect from 29.01.2015 in the light of approval given by the 1st respondent to the similarly placed persons like P.Ravichandran in order passed in W.A.No.2318 of 2011 dated 11.10.2013 Dr.D.Thampi Dharmaraj Kurupatham in Na.Ka.No.24810/ F2/2015 dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others in W.P.Nos.11004 to 11014 of 2005 dated 29.01.2015 with monetary and all other attendant and service benefits based on the representation given by the petitioner dated 10.03.2016.

For Petitioner : :Mrs.A.S.Bharathi for
in W.P.No.22400/16 Mr.E.Martin Jayakumar

For Respondents : :Mrs.M.E.Raniselvam
in W.P.No.22400/16 Additional Government Pleader
for R1 & R2

COMMON ORDER

The petitioners have been appointed in the post of Assistant Professor in various departments in the third respondent College in the year 2015, in the sanctioned posts, consequent to the retirement vacancy of certain persons. The grievance of the petitioners is that although they have been appointed in the sanctioned posts, they have not been paid with the salary by the management, since their appointments have not been approved. In this regard, the second respondent had already sent the proposals to the first respondent seeking approval of the appointment of the petitioners in the respective cadres. In addition thereto, the petitioners have also submitted representations, dated 10.03.2016, to the first respondent seeking for approval and sanction, in the light of approval given by the first respondent to similarly placed persons like P.Ravichandran in order passed in W.A.No.2318 of 2011, dated

11.10.2013, Dr.D.Thampi Dharmaraj Kurupatham in Na.Ka.No.24810/F2/2015, dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others, in W.P.Nos.11004 to 11014 of 2005, dated 29.01.2015, with monetary and all other attendant and service benefits. Since the said representations have not been considered, they have come to this Court.

2. Mrs.M.E.Raniselvam, learned Additional Government Pleader takes notice on behalf of the respondents 1 & 2.

3. This Court, considering the fact that the second respondent has already sent the proposals to the first respondent seeking approval of the appointments of the petitioners in the respective cadres, hereby directs the first respondent-Director of Collegiate Education, Chennai to consider the representations of the petitioners, dated 10.03.2016, in the light of the approval granted to similarly placed persons like P.Ravichandran in order passed in W.A.No.2318 of 2011, dated 11.10.2013, Dr.D.Thampi Dharmaraj Kurupatham in Na.Ka.No.24810/F2/2015, dated 20.10.2015 in W.P.No.16897 of 2015 and C.Anuba & 10 others, in W.P.Nos.11004 to 11014 of 2005, dated 29.01.2015, and pass appropriate orders, subject to their eligibility, within a period of eight weeks from the date of receipt of a copy of this order. These Writ Petitions are disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

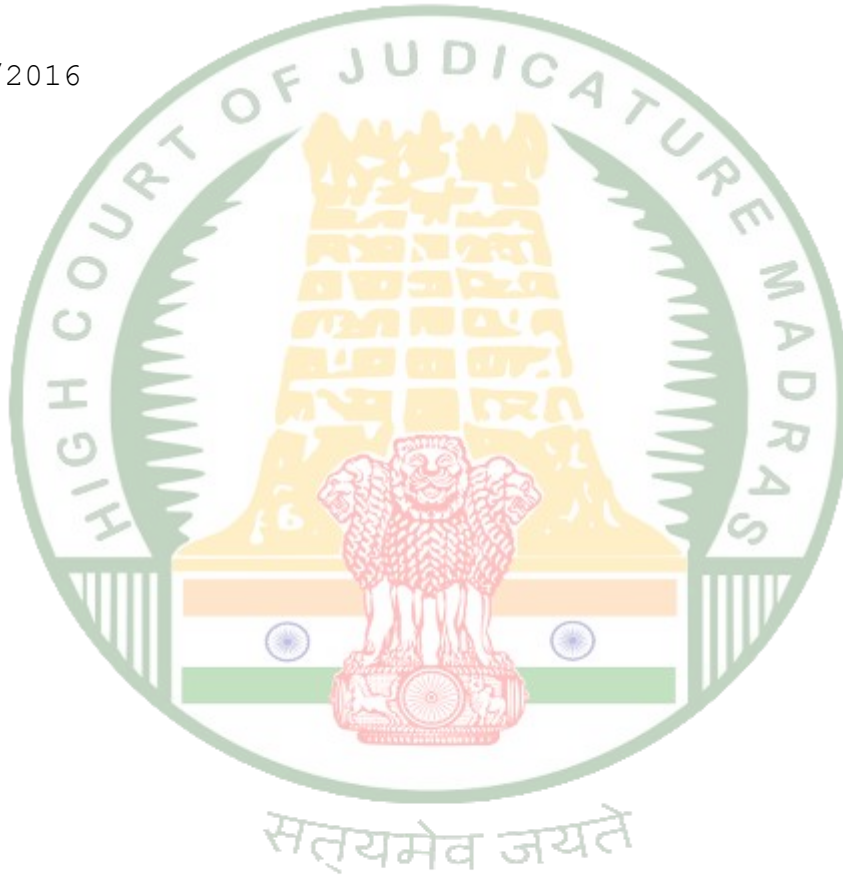
1. The Director of Collegiate Education
College Road,
Chennai 600 006.
2. The Joint Director of College Education,
Madurai Region,
Madurai.

3. The Secretary
Saraswathi Narayanan College
Perungudi
Madurai-625 022.

+8cc to Mr.E.Martin Jayakumar, Advocate sr.38443
+1cc to the Government Pleader Sr.38986

W.P.Nos.22400 to 22407 of 2016

vs[co]
srg 20/07/2016



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