

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2016

CORAM

THE HON'BLE MR. JUSTICE B.RAJENDRAN

WP.Nos. 23603 and 23604 of 2016
and W.M.P.Nos. 20218 and 20219 of 2016

Dr.J.Mohamed Ali ... Petitioner in W.P.No.23603 of 2016

Dr.J.Sugumaran ... Petitioner in W.P.No.23604 of 2016

Vs.

1.Director of Collegiate Education
Madras-6.

2.Joint Director of Collegiate Education
Thanjavur.

3.Administrator
Khadir Mohideen College
Adirampattinam 614 701
Thanjavur District. Respondents in both WPs.

Writ Petitions filed under Article 226 of the Constitution of India praying for Writ of Mandamus, to direct the respondents 1 and 2 to approve the appointment of the petitioners as Assistant Professor (Commerce) & (Zoology) respectively in the 3rd respondent College, from the date of appointment, as per the judgment of this Court in W.A.No.2318 of 2011, dated 11.10.2013, considering the proposal submitted by the 3rd respondent Management in Na.Ka.Nos.207 and 215/2012, dated 25.08.2014, fixing an outer time limit and pass such further orders with all the consequential benefits as may deem fit.

For Petitioners : Mr.C.Selvaraju
in both WPs. Senior Counsel
for M/s.C.S.Associates

For Respondents: Mr.K.V.Dhanapalan
in both WPs. Additional Government Pleader

COMMON ORDER

By consent, these Writ Petitions are taken up and disposed of at the admission stage itself.

2. The petitioners were appointed as Assistant Professors in the 3rd respondent College in the sanctioned post in the year 2012. In 2012, their qualification was approved by the Bharathidasan University. The 3rd respondent is a Minority and Aided College. The 3rd respondent sent a proposal with the qualification and other documents to the 2nd respondent for approval in the year 2012. The 2nd respondent returned the same for certain clarification. On 25.08.2014, after clarifying the doubts, the 3rd respondent resubmitted the proposal to the 2nd respondent and the same is pending with him.

3. Mr.C.Selvaraju, the learned senior counsel appearing for the petitioners would submit that the petitioners would be satisfied, if the 2nd respondent is directed to pass orders, by considering the proposal submitted by the 3rd respondent, dated 25.08.2014 and in the light of the judgment passed by this Court in W.A.No.2318 of 2011, dated 11.10.2013, within a time frame.

4. Mr.K.V.Dhanapalan, the learned Additional Government Pleader, who takes notice on behalf of the respondents would submit that he has got no objection in directing the 2nd respondent to pass orders, in accordance with law.

5. Considering the above submission of the learned senior counsel appearing for the petitioners, this Court, without going into the merits of the claim made by the petitioners, directs the 2nd respondent to pass appropriate orders, by considering the proposal submitted by the 3rd respondent, on 25.08.2014, and in the light of the judgment passed by this Court in W.A.No.2318 of 2011, dated 11.10.2013, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioners.

6. These Writ Petitions are disposed of accordingly. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Paa

To

1. Director of Collegiate Education
Madras-6.
2. Joint Director of Collegiate Education
Thanjavur.
3. Administrator
Khadir Mohideen College
Adirampattinam 614 701
Thanjavur District.

- 1 cc to Government Pleader, sr.38538
- 2 ccs to M/s.C.S.Associates, sr.38566, 38567

rp co
kra 18.07.2016

WP.Nos. 23603 and 23604 of 2016

सत्यमेव जयते

WEB COPY