

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2016

CORAM

THE HON'BLE MR. JUSTICE B.RAJENDRAN

WP.No.23753 of 2016

Dr.E.Beena

.. Petitioner

Vs.

1. Director of Collegiate Education
College Road
Chennai-600 006.

2. The Joint Director of Collegiate Education
Thirunelveli Region
Thirunelveli-627 007.

3. The Registrar
Manonmanium Sundaranar University
Thirunelveli District.

4. The Secretary-cum-Correspondent
Women's Christian College
Nagercoil
Kanyakumari District.

... Respondents

(Respondents 2 to 4 are given up,
as per the order made in this
Writ Petition, dated 12.07.2016)

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the 1st respondent to approve the petitioner's appointment as Assistant Professor in History in the Women's Christian College, Nagercoil, in the sanctioned retirement vacancy of Dr.T.Premila Joy w.e.f. 20.06.2016 in the light of approval given by the 1st respondent to the similarly placed persons with monetary and all other attendant and service benefits and to pass such further orders as this Court may deem fit and proper in the facts and circumstances of the case.

For Petitioner : Mr.J.Jayendrkrishnan

For Respondents: Mrs.M.E.Raniselvam
Addl. Government Pleader
for R.1 and R.2

Mr.S.Bharathirajan
for R.4

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the 1st respondent to approve the petitioner's appointment as Assistant Professor in History in the Women's Christian College, Nagercoil, in the sanctioned retirement vacancy of Dr.T.Premila Joy w.e.f. 20.06.2016 in the light of approval given by the 1st respondent to the similarly placed persons with monetary and all other attendant and service benefits.

3. The petitioner was appointed as Assistant Professor in the 4th respondent College in the Department of History from 20.06.2016, in the retirement vacancy arising out of a sanctioned post. The grievance of the petitioner is that approval has to be granted by the respondents for her appointment as Assistant Professor in History in the 4th respondent College w.e.f. 20.06.2016. In this regard, the petitioner has made a representation on 05.07.2016, but, there was no response. Hence, the present Writ Petition has been filed seeking the relief stated supra.

4. Mr.J.Jayendrkrishnan, the learned counsel for the petitioner would submit that he is giving up respondents 2 to 4. He has also made an endorsement to that effect. He would further add that though, a larger relief is sought for, the petitioner would be satisfied, if the 1st respondent is directed to consider the representation of the petitioner, dated 05.07.2016, and to pass appropriate orders, in the light of approval given by the 1st respondent to the similarly placed persons, within a time frame.

5. Mrs.M.E.Raniselvam, the learned Additional Government Pleader, who took notice on behalf of the 1st respondent, has got no serious objection in directing the 1st respondent to consider the representation of the petitioner, dated 05.07.2016

and to pass appropriate orders, on merits and in accordance with law.

6. Considering the above submission and also the fact that the petitioner has restricted her relief and also the fact that the petitioner has given up the respondents 2 to 4, this Court, without going into the merits of the claim made by the petitioner, directs the 1st respondent to consider the representation of the petitioner, dated 05.07.2016, and pass appropriate orders, after giving notice and affording sufficient opportunity of hearing to them, on merits and in accordance with law, as expeditiously as possible. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

7. The Writ Petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. Director of Collegiate Education
College Road
Chennai-600 006.
 2. The Joint Director of Collegiate Education
Thirunelveli Region
Thirunelveli-627 007.
 3. The Registrar
Manonmanium Sundaranar University
Thirunelveli District.
- +1 cc to Mr.J.Jayendrakrishnan Advocate sr.38573
+1 cc to Government Pleader sr.38976

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