

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. Nos.10780 and 10781 of 2017

A. Sasikala .. Petitioner in W.P. No.10780 of 2017

M.Rethi .. Petitioner in W.P. No.10781 of 2017

-vs-

1. The Director of Collegiate Education,
College Road,
Chennai - 600 006.
2. The Joint Director of Collegiate Education,
Madurai Region,
Madurai.
3. The Secretary,
St. Justin's College of Education,
Madurai. .. Respondents in both cases

Prayer in both cases: Petitions are filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the first respondent herein to approve and regularize the Petitioner's appointment as Assistant Professor in Education (W.P.10780/17) and Librarian (WP.10781/17) in St. Justin's College of Education, Madurai, in the sanctioned retirement vacancy of Mrs. Remy Koraira and Mrs.N.Janaki with effect from 01.12.2016 in the light of approval given by the 1st respondent to the similarly placed persons like L.Vinnarasi in W.P.No.40235 of 2016 dated 16.11.2016 in Mu.Mu.No.52367/G2/2016 dated 21.03.2017 with monetary and all other attendant and service benefits based on the representation given by the petitioner dated 11.01.2017.

For Petitioners:: Mr.E. Martin Jayakumar

For Respondents:: Mr.P. Sanjay Gandhi
Additional Government Pleader
for R 1 and R2

COMMON ORDER

The petitioners have filed these writ petitions seeking a direction to the first respondent herein to approve and regularize their appointment as Assistant Professor in Education and Librarian in St. Justin's College of Education, Madurai, in the sanctioned retirement vacancy of Mrs. Raxy Koraira and Mrs.N.Janaki with effect from 01.12.2016 in the light of approval given by the 1st respondent to the similarly placed persons like L.Vinnarasi in W.P.No.40235 of 2016 dated 16.11.2016 in Mu.Mu.No.52367/G2/2016 dated 21.03.2017 with monetary and all other attendant and service benefits based on the representation given by them on 11.01.2017.

2.The case of the petitioners is that they were appointed as Assistant Professor in Education and Librarian respectively in St. Justin's College of Education, Madurai in the sanctioned retirement vacancy with effect from 01.12.2016 by virtue of appointment issued by the Secretary of the said college. However, the said College has sent a communication dated 20.12.2016 to the first respondent stating that the petitioners have been appointed in the sanctioned post and requested for approval of the said post of Assistant Professor in Education and Librarian respectively. The grievance of the petitioners is that since they have been working without salary from the date of their appointment, approval may be granted by the first respondent for their appointment as Assistant Professor in Education and Librarian respectively in the St. Justin's College of Education, Madurai with effect from 01.12.2016. This Court, by order dated 16.11.2016 in W.P. No.40235 of 2016, has approved the service of the similarly placed person namely L.Vinnarasi as that of the petitioners. Therefore, they made a representation dated 11.01.2017 to the first respondent, but, the same has not been considered. Hence, they are before this Court seeking the above said direction.

3.Learned Additional Government Pleader appearing for respondents 1 and 2 sought six weeks time to consider the representation made by the petitioners along with the proposal sent by the third respondent.

4.Since a proposal has already been sent by the third respondent for approval of the said posts, this Court has no impediment to direct the first respondent to consider the representation given by the petitioners. Therefore, the first respondent is directed to consider the representation made by the petitioners along with the proposal sent by the third

respondent and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Accordingly, these writ petitions are disposed of. No costs.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

vga
To

1. The Director of Collegiate Education,
College Road,
Chennai - 600 006.
2. The Joint Director of Collegiate Education,
Madurai Region,
Madurai.
3. The Secretary,
St. Justin's College of Education,
Madurai.

+2cc to Mr.E.Martin Jayakumar,Advocate sr.25977

+1cc to Government Pleader sr.26441

W.P. Nos.10780 and 10781 of 2017

ss1(co)
ss(9/5/2017)

सत्यमेव जयते

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