

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.05.2017

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THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

WP.No.12918 of 2017
& WMP.No.13783 of 2017

Dr.K.Karunakaran

.. Petitioner

Vs

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Higher Education Department,
Fort St. George,
Chennai- 600 009.

2.The Director of Collegiate Education,
College Road,
Chennai-600 006.

3.The Secretary,
M.D.T. Hindu College,
Tirunelveli-627 010.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondents, particularly the first respondent, to approve the appointment of the petitioner in the light of the approval given by the first respondent to the similarly placed colleges like YMCA and Saradha Girls College, in his proceedings bearing Na.Ka.No.134649/S6/80 dated 23.11.1982, based on the representation dated 31.10.2015.

For Petitioner

: Mr.P.Ganesan

For Respondents : Mr.S.Gunasekaran, AGP.

ORDER

Writ petition has been filed seeking for the issuance of a writ of Mandamus to direct the first respondent to approve the appointment of the petitioner in the light of the approval given by the first respondent to the similarly placed colleges like YMCA and Saradha Girls College, in his proceedings bearing Na.Ka.No.134649/S6/80 dated 23.11.1982, based on the representation dated 31.10.2015.

2.The petitioner is a Medical Graduate and he was appointed as a Lecturer in Physical Education, Health Education and Sports Department, M.D.T. Hindu College, Tirunelveli. His appointment was approved by the Manonmaniam Sundaranar University with effect from 21.01.1991. From then, he has been working in the third respondent college for the past 23 years. Even though, his appointment was approved, he was not paid salary. The petitioner has made a representation to the respondents 1 & 2, to give sanction order as it was given in all the Government aided colleges viz., Sri Sarada College of Physical Education for Women, Salem, Y.M.C.A. Physical Education College, Chennai and Alagappa University, Karaikudi. The said representation was not considered till date and the petitioner is discharging his duties without receiving any remuneration for the same. Aggrieved over the inaction of the

respondents, the petitioner is before this Court with the present writ petition.

3.As the previous representation was sent on 31.10.2015 i.e., before two years, the petitioner is directed to make a fresh representation to the respondents within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondents 1 & 2 are directed to pass orders within a period of four weeks thereafter on merits and in accordance with law.

4.With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

18.05.2017

Index: Yes/No

Internet: Yes

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To

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M.GOVINDARAJ, J.,

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