

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24669 of 2017

Dr.Avvai M.S.Vijaya

..Petitioner

Vs

The Director of Collegiate Education
College Road
Chennai 600 006.

.. Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent herein to approve the petitioner's appointment as Assistant Professor in Botany in the Scott Christian College, Nagercoil, in the sanctioned retirement vacancy of Dr.P.Charles with effect from 16.06.2017 in the light of approval given by the respondent to the similarly placed persons Dr.D.Deleep Packiaraj whose service was approved by the respondent in W.P.No.32297 of 2016 dated 16.09.2016 in Na.Ka.No.716/F4/2017 dated 20.02.2017 and Dr.Sukumaran in W.P.No.11512 of 2012 dated 11.06.2012 reported in (2012) 5 MLJ 670, with monetary and all other attendant and service benefits based on the representation dated 30.06.2017 given by the petitioner.

For Petitioner

: Mrs.A.V.Bharathi for

: Mr.E.Martin Jayakumar

For Respondent

: Mr.M.Perumal

Government Advocate

O R D E R

The relief sought for in this writ petition though large in nature. The learned counsel appearing for the writ petitioner restricted the prayer by stating that it is suffice, if the

representation submitted by the writ petitioner on 30.06.2017, is disposed of in accordance with law.

2. The learned counsel appearing for the writ petitioner states that the writ petitioner was appointed in a sanctioned post, on account of the retirement of one Dr.P.Charles and there was no irregularity in the appointment of the writ petitioner. Accordingly, the proposal was submitted for approval of the appointment of the writ petitioner and the same is yet to be considered in this regard. The writ petitioner has submitted a representation on 30.06.2017. Further, the learned counsel submitted that similar cases that of the writ petitioner was already considered and favourable orders were passed in respect of the petitioner in this writ petition.

3. In this view of the matter, and without going into the merits of the cases, the respondent is directed to consider the representation submitted by the writ petitioner on 30.06.2017, and pass orders on merits in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioner is directed to send the copy of the representation along with all the documents with the order passed in this writ petition.

4. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

The Director of Collegiate Education
College Road
Chennai 600 006.

+1cc to Government Advocate SR.No.67557

+1cc to Mr.E.Martin Jayakumar, Advocate SR.No.67875

SDR 13.10.2017

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