

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.04.2018
CORAM
THE HON'BLE MR.JUSTICE M. DHANDAPANI
W.P.No.12220 of 2006

T.Manikandan

..Petitioner

Vs.

1. The Government of Tamil Nadu,
represented by its Secretary
to Government Higher Education Department,
Fort St. George, Chennai - 9.
2. The Director of Collegiate Education,
College Road,
Nungambakkam, Chennai - 600 006.
3. The Joint Director of Collegiate Education,
Thirunelveli Region,
Thirunelveli3.
4. The Secretary,
Lakshmipuram College of Arts & Science,
Neyyoor - 629 802,
Kanyakumari District.
5. Mrs. Usha Kumari .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the Respondents 1 to 4 especially the proceedings of the 3rd respondent made in Na.Ka.No.16433-E1-2006, dated 23.02.2006 along with the non-communicated decision taken by the first respondent viz., Government Letter No.15132-D1-2005 Higher Education Department, dated 30.09.2005 and to quash the same as null and void, illegal and invalid and consequently to direct the respondents to appoint the petitioner as 'Assistant' in the vacancy caused on 01.02.2003 by transfer of post as 'Mechanic' to 'Assistant' with all service and monetary benefits.

For Petitioner : Mr.A. Amalraj

For Respondents 1-3 : Mr.G.Munusamy
Special Government Pleader

For Respondent - 4 : M/s.C.Godwin Chinnivenkata Subba Rao

For Respondent - 5: Mr.R. Subramanian

O R D E R

The petitioner has filed this writ petition challenging the order of rejection refusing to promote the petitioner from wireman to Assistant passed by the Respondents 1 to 4 especially the proceedings of the 3rd respondent made in Na.Ka.No.16433-E1-2006, dated 23.02.2006 along with the non-communicated decision taken by the first respondent viz., Government Letter No.15132-D1-2005, Higher Education Department, dated 30.09.2005 and to quash the same as null and void, illegal and invalid and consequently to direct the respondents to appoint the petitioner as 'Assistant' in the vacancy caused on 01.02.2003 by transfer of post as 'Mechanic' to 'Assistant' with all service and monetary benefits.

2. Mr.Amalraj, the learned counsel appearing for the petitioner would submit that though the petitioner has sought for a larger relief in this writ petition, it would suffice that if this Court permits the petitioner to make a representation to the authorities to implement G.O.(Ms)No.170, Finance Department, dated 20.06.2004 and to pass appropriate orders.

3. In view of the limited scope of the prayer now sought for by the petitioner, this Court permits the petitioner to make a representation within a period one week from the date of receipt of a copy of this order to the third respondent/Joint Director of Collegiate Education, Thirunelveli. After receipt of the said representation, the 3rd respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks thereafter.

4. Accordingly, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

msm

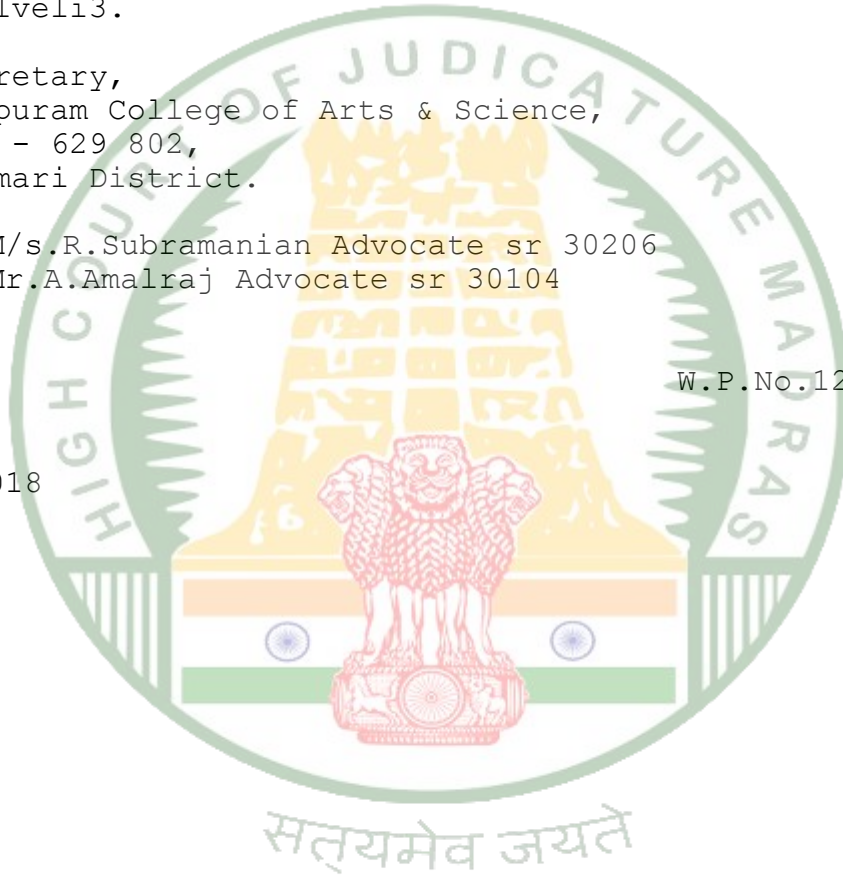
To:

- 1.The Secretary to Government of Tamil Nadu
Higher Education Department,
Fort St. George, Chennai - 9.
2. The Director of Collegiate Education,
College Road,
Nungambakkam, Chennai - 600 006.
3. The Joint Director of Collegiate Education,
Thirunelveli Region,
Thirunelveli3.
4. The Secretary,
Lakshmipuram College of Arts & Science,
Neyyoor - 629 802,
Kanyakumari District.

+1 cc to M/s.R.Subramanian Advocate sr 30206
+1 cc ot Mr.A.Amalraj Advocate sr 30104

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