

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.31237 of 2018

M.Amutha

... Petitioner

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, Devanga Arts College
Aruppukottai.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first respondent herein to approve and regularise the petitioner's appointment as Assistant Professor in Physics in the sanctioned death vacancy of Mr.C.Somasundaram with effect from 27.2.2018 to 06.08.2018 in the light of the approval given by the first respondent to the similarly placed persons like G.Anne Nithya in Na.Ka.No.31159/F2/2017 dated 23.04.2018 and J.Premakumari and others in Na.Ka.No.33733/F2/2005 dated 01.09.2014 in W.P.No.17368 of 2005 dated 29.06.2005 W.A.Nos.140, 811 of 2006 and 809 of 2007 and in SLP Nos.19526 to 19528 of 2013 with monetary service and all other benefits for the said period based on the proposal sent by the third respondent college dated 02.03.2018 and the petitioner's representation dated 20.08.2018.

For Petitioner : Mr.E.Martin Jayakumar

For Respondent : Ms.P.Kavitha,
Government Advocate (Education)

O R D E R

This writ petition is filed seeking direction to the first respondent to approve and regularise the petitioner's appointment in the (sanctioned) vacancy with effect from

27.02.2018 to 06.08.2018 in the light of the approval given by the first respondent to the similarly placed persons.

2. The petitioner got appointed as Assistant Professor in Physics department on 27.2.2018 in the vacancy which arose on account of the death of one C.Somasundaram. It was a sanctioned post. The Directorate of Collegiate Education has granted approval only from 07.08.2018 and there is no sanction for the period from 27.02.2018 to 06.08.2018. Therefore, it is the claim of the petitioner that the approval should have been granted from 27.02.2018 . So claiming, the petitioner has submitted a representation dated 20.08.2018 to the respondents. As her representation has not been considered, she has filed the present writ petition.

3. Ms.P.Kavitha, learned Government Advocate (Education) takes notice on behalf of the respondents 1 and 2 and would submit that the representation would be considered in terms of the relevant rules and regulations and appropriate orders would be passed.

4. Having regard to the limited nature of the prayer, this Court is of the view that it is not necessary to issue notice to the third respondent. Under the circumstances, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 20.08.2018 within a period of eight weeks from the date of receipt of a copy of this order, and pass orders thereon, in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kst

To

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

2.The Joint Director of Collegiate Education,
Madurai Region, Madurai.

+1 cc to Mr.E.Martin Jayakumar, Advocate Sr.No.81325

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CSL/18.12.2018