

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.32849 of 2018
and W.M.P.No.38061 of 2018

The Secretary
Sacred Heart College (Autonomous)
Tirupattur, Vellore District Petitioner

Vs

- 1.The State of Tamil Nadu
rep.by its Secretary, Department of Higher
Education, Fort St.George, Chennai 600 009.
- 2.The Director of Collegiate Education
College Road, Chennai 600 006.
- 3.The Joint Director of Collegiate Education
Vellore Region, Vellore District - 635 006.
- 4.The Thiruvalluvar University, rep.by its Registrar
rep.by its Registrar, Serkadu, Vellore District-635 115.
..... Respondents

For Petitioner : Ms.Mary Sowmi Rexi
for M/s.Isaac Chambers

For Respondent : Ms.Thangavadana Balakrishnan,
Addl.Govt.Pleader
for R1 to R3

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the third respondent Joint Director to approve forthwith the appointment of 2 assistant professors (Name List Annexed) in the petitioner college and disburse the grant-in-aid towards their salary and allowance with effect from the respective dates of their appointment.

O R D E R

The petitioner college is a recognized religious minitory educational institution. The college submitted proposal dated 28.10.1999 to the fourth respondent University for getting

qualification approval and the University granted qualification approval on 03.11.2017 . Thereafter, the college submitted the proposals to the third respondent / Joint Director on two different dates ie., on 03.11.2017 and 25.01.2018 for approval of appointments, for disbursement of grant-in-aid towards salary. There was no response from the third respondent. Therefore, the college sent reminders dated 06.04.2018, 29.08.2018 and 07.11.2018. It is the claim of the petitioner that the second and third respondents took a similar stand in respect of approval of appointment of teaching staff in the petitioner college. This was challenged by the petitioner in W.P.No.29075 of 2016 and this Court by order dated 29.11.2016, directed the third respondent to forthwith approve the appointments of 13 Assistant Professors in the petitioner college and disburse the grant in aid towards their salary. Hence, the petitioner prays for a direction to the third respondent Joint Director to approve forthwith the appointment of 2 assistant professors (Name List Annexed) in the petitioner college and disburse the grant-in-aid towards their salary and allowance with effect from the respective dates of their appointment.

2. Ms.Thangavadana Balakrishnan, learned Additional Government Pleader takes notice for the respondents 1 to 3. Heard the learned counsel on either side and perused the materials placed on record.

3. Learned counsel appearing for the petitioner college would submit that there is no difficulty for the respondents to pass orders in terms of the earlier orders passed by this Court in W.P.No.29075 of 2016. Learned Additional Government Pleader submits that the proposal would be considered appropriately.

4. Under the circumstances, the writ petition is disposed of, directing the respondents to consider the proposals sent by the petitioner to the third respondent / Joint Director on 03.11.2017 and 25.01.2018 for approval of appointments in the light of the earlier orders passed by this Court in W.P.No.29075 of 2016, and pass appropriate orders thereon, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VI)

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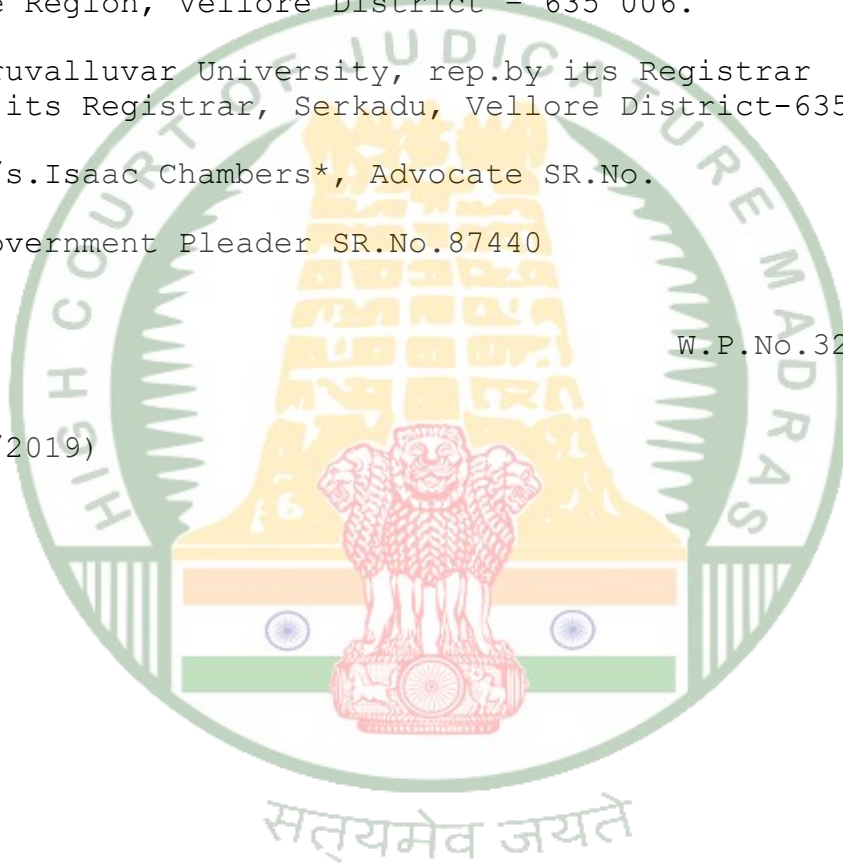
Sub Assistant Registrar

To

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rep.by its Secretary, Department of Higher
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Vellore Region, Vellore District - 635 006.
 - 4.The Thiruvalluvar University, rep.by its Registrar
rep.by its Registrar, Serkadu, Vellore District-635 115.
- +1cc to M/s.Isaac Chambers*, Advocate SR.No.
- +1cc to Government Pleader SR.No.87440

W.P.No.32849 of 2018

AD(CO)
GMY(23/01/2019)



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