



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.01.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20348 of 2014
and
MP(MD)Nos.1 & 2 of 2014

S.N.Leena Nelson

... Petitioner

Vs.

1. The Director of Collegiate Education,
College Road, Chennai - 600 006.
2. The Joint Director of Collegiate
Education,
Tirunelveli Region, Tirunelveli.
3. The Manonmaniam Sundaranar
University,
Abisekhapatti, Tirunelveli District,
Rep.by its Registrar.
4. The Correspondent-Secretary,
Women's Christian College,
Nagercoil, Kanyakumari District.

... Respondents

Prayer : This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceeding issued by the second respondent Joint Director in O.Mu.No.10280/Aa1/2014 dated 08.10.2014, quash the same, and further direct the second respondent to approve forthwith the appointment of the petitioner as Assistant Professor in Mathematics in the fourth respondent college namely, Women's Christian College, Nagercoil and disburse the grant-in-aid towards her salary and allowances w.e.f the date of her appointment viz., 26.01.2007.

For Petitioner
For Respondents

: Mr.MT.Cibi Chakraborty
: Mr.J.Gunaseelan Muthaiah,
Addl., Government Pleader
for R1 & R2
Mr.Mohaboob Athif for R3
for M/s.Ajmal Associates
No appearance for R4.

**ORDER**

The writ petitioner was appointed as Assistant Professor in Maths in the fourth respondent college with effect from 26.01.2007. The third respondent university has also granted qualification approval for the writ petitioner by proceedings dated 26.06.2014. The second respondent has however declined to grant approval to the said appointment on the ground that prior permission of the first respondent has not been obtained.

2.It has been consistently held by this Court such a prior permission is not required. Admittedly, the writ petitioner is eligible to be appointed as a Assistant Professor. The vacancy in which the writ petitioner was appointed is also a sanctioned one. Therefore, the order impugned in this writ petition is quashed. The second respondent is directed to approve forthwith the appointment of the writ petitioner as Assistant Professor in the fourth respondent college and disburse all the consequential benefits with effect from 26.01.2007.

3.This writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Director of Collegiate Education,
College Road, Chennai - 600 006.
2. The Joint Director of Collegiate
Education,
Tirunelveli Region, Tirunelveli.

+ 1 CC TO M/s.AJMAL ASSOCIATES, IN SR No. 42738
+ 1 CC TO Mr.T.CIBI CHAKRABORTHY, ADVOCATE IN SR No. 42924
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 43074

SKM

TE/SV-MMS/SAR-2 : 14/02/2018 : 2P/6C