



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2018

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.19310 of 2018

and

W.M.P.(MD) .No.17148 of 2018

G.M.Carmel Vigila Bai

.. Petitioner

Vs.

1.The Principal Secretary to Government
Higher Education, Secretariat,
Chennai.

2.The Director of Collegiate Education,
E.V.K.Sampath Maligai,
College Road,
Chennai 600 006.

3.The Regional Director,
Directorate of Collegiate Education,
Tirunelveli.

4.The Principal,
Government Arts & Science College,
Nagercoil,
Kanyakumari District.

5.Mr.S.Vinu

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to keep Assistant Professor post in Physics subject in the 4th respondent's college sanctioned as per G.O.120 dated 22.6.2018 as vacant in the counselling and direct the respondents to permit the petitioner to participate in the counselling to be held on 12.9.2018 and consider the petitioner's seniority to accommodate in the vacant place in the 4th respondent's college.

For Petitioner : Mr.S.Titus

For Respondents : Mr.R.Sethuraman

Special Govt. Pleader for RR-1 to 4

ORDER

This Writ Petition has been filed for issuance of a writ of Mandamus, directing the respondents to keep Assistant Professor post in Physics subject in the 4th respondent's college sanctioned as per G.O.Ms.No.120, Higher Education (G1) Department, dated 22.6.2018 as vacant in the counselling and direct the respondents to permit the



petitioner to participate in the counselling to be held on 12.9.2018 and consider the petitioner's seniority to accommodate in the vacant place in the 4th respondent's college.

2. The relief sought for by the petitioner to accommodate the petitioner in the vacant post, as such cannot be granted and it may affect the interest of the private respondent, who has been made as a party in this writ petition.

3. At the time of hearing, the learned counsel for the respondent would submit that the petitioner, who is working as Assistant Professor in the Government Arts & Science College, Nagercoil would be called for counselling in terms of G.O.Ms.No.120, Higher Education (G1) Department, dated 22.6.2018, provided she fulfils the necessary requirements/qualifications and meritorious than other candidates including the fifth respondent and the fifth respondent would also be called to participate in the counselling, if she is also eligible.

4. In view of the above observation, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Principal Secretary to Government
Higher Education, Secretariat, Chennai.

2. The Director of Collegiate Education,
E.V.K.Sampath Maligai,
College Road, Chennai 600 006.

3. The Regional Director,
Directorate of Collegiate Education, Tirunelveli.

4. The Principal,
Government Arts & Science College,
Nagercoil, Kanyakumari District.

+1CC to Mr.S.Titus, Advocate, SR.No.82678

+1CC to the Special Government Pleader SR.No. 83338

W.P. (MD) No.19310 of 2018

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