

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.16170 of 2019

Dr.S.Samuel Ravi

...Petitioner

Vs.

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

2.The Joint Director of Collegiate Education
Thirunelveli Region
Thirunelveli.

3.The Secretary-cum-Correspondent
Nesamony Memorial Christian College
Marthandam.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st & 2nd respondents herein to approve the petitioner's appointment as Assistant Professor in Economics in the 3rd respondent College, in the sanctioned retirement vacancy of Dr.S.Linsa Retnalal with effect from 03.07.2014 in the light of the order in W.A.No.2318 of 2011, P.Ravichandran - vs. The State of Tamil Nadu dated 11.10.2013 in SLP No.887 of 2015 dated 29.01.2019 and the approval given by the 1st respondent to the similarly placed persons Dr.D.Deleep Packiaraj vide proceedings Na.Ka.No.716/F2/2017 dated 20.02.2017 in W.P No.32297 of 2016 dated 16.09.2016 with monetary and all other attendant and service benefits based on the proposal given by the 3rd respondent college dated 08.04.2019 and the petitioner's representation dated 15.04.2019.

For Petitioner : Mr.A.V.Bharathi

For Respondents : Mr.V.Kadirvelu

Special Government Pleader

ORDER

This petition has been filed by the petitioner to issue a Writ of Mandamus, directing the 1st & 2nd respondents herein to approve the petitioner's appointment as Assistant Professor in

Economics in the 3rd respondent College, in the sanctioned retirement vacancy of Dr.S.Linsa Retnalai with effect from 03.07.2014 in the light of the order in W.A.No.2318 of 2011, P.Ravichandran - vs. The State of Tamil Nadu dated 11.10.2013 in SLP No.887 of 2015 dated 29.01.2019 and the approval given by the 1st respondent to the similarly placed persons Dr.D.Deleeeep Packiaraj vide proceedings Na.Ka.No.716/F2/2017 dated 20.02.2017 in W.P No.32297 of 2016 dated 16.09.2016 with monetary and all other attendant and service benefits on the proposal given by the 3rd respondent college dated 08.04.2019 and the petitioner's representation dated 15.04.2019.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents 1 and 2. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner was appointed as Assistant Professor in Economics in the 3rd respondent College, in the sanctioned Retirement vacancy of Dr.S.Linsa Retnalal with effect from 03.07.2014 and the petitioner is fully qualified as per the UGC norms. The 3rd respondent college has sent a proposal dated 08.04.2019 to the 1st and 2nd respondents for approving the appointment of petitioner in the sanctioned retirement vacancy with effect from 03.07.2014 and the approval was not accorded. Thereafter, the petitioner made representations to the 1st and 2nd respondents on 25.11.2014 and 15.04.2019 seeking for approval of appointment of the petitioner in the sanctioned retirement vacancy. Till date, the representations of the petitioner were not considered. Hence, this Writ Petition is filed.

4.The learned counsel for the petitioner submitted that, it would suffice if a direction is passed to the respondent to consider the representation of the petitioner dated 15.04.2019, within a reasonable time as fixed by this Court.

5.The learned counsel appearing for the respondents 1 & 2 accede to the submission made by the learned counsel for the petitioner and submitted that if any such representation was received by the respondent, the same will be considered on merits and in accordance with law.

6.Thus, without going into the merits of the case, this Court is inclined to direct the 1st and 2nd respondent to consider the representation of petitioner dated 15.04.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

7.With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To.

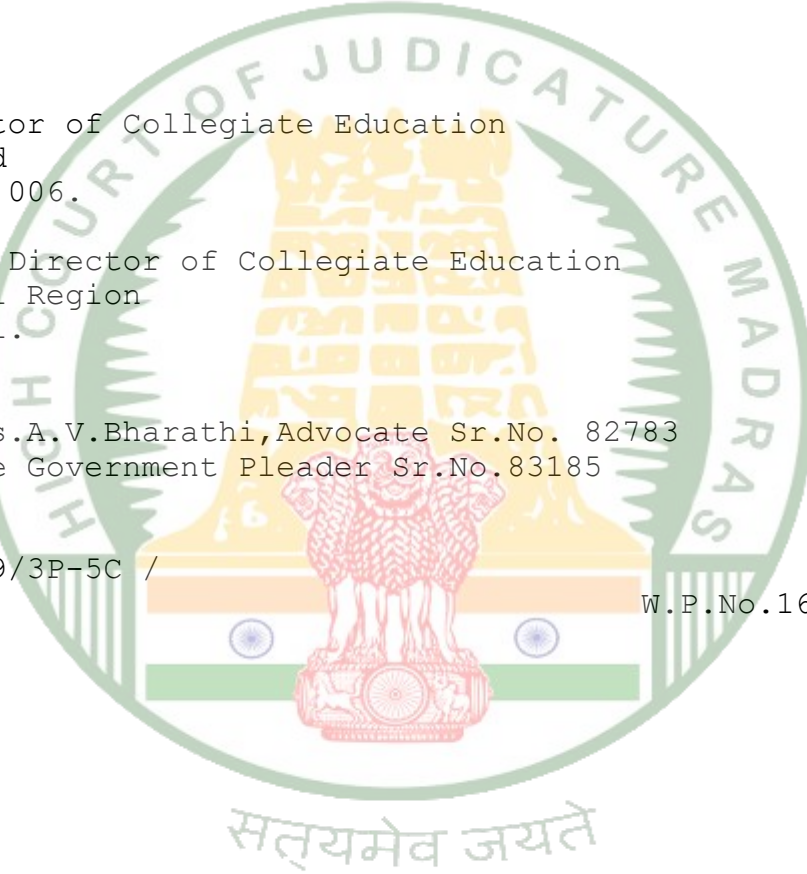
1.The Director of Collegiate Education
College Road
Chennai 600 006.

2.The Joint Director of Collegiate Education
Thirunelveli Region
Thirunelveli.

+1 cc to M/s.A.V.Bharathi,Advocate Sr.No. 82783
+1 cc to The Government Pleader Sr.No.83185

AKM/30.10.19/3P-5C /

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