



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32773 of 2019

Dr.G.Thomas Nithiyanandam

... Petitioner

.Vs.

1.Government of Tamil Nadu,
Rep.by its Secretary,
Higher Education Department,
Fort St.George,
Chennai-600 009.

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

3.The Joint Director of Collegiate Education,
Thanjavur Region,
Thanjavur-613 005.

4.The Secretary,
T.B.M.L.College,
Porayar-609 307
Nagapattinam District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 2nd and 3rd approve the appointment of the petitioner in Lecturer in Zoology in the 4th respondent college, in the sanctioned retirement vacancy from 02.07.2012 to 24.01.2016 in the light of approval given by the 1st Respondent to the similarly, placed person in G.O.(3D).No.4 Higher Education (E2) Department dated 06.03.2014 and by consider the representation dated 9.09.2019 of the petitioner and all attended monetary benefits.

For petitioners : Mr.P.Ganesan

For Respondents : Mr.V.Kadirvelu
Special Government Pleader



ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the respondents 2nd and 3rd approve the appointment of the petitioner as Lecturer in Zoology in the 4th respondent college, in the sanctioned retirement vacancy from 02.07.2012 to 24.01.2016 in the light of approval given by the 1st Respondent to the similarly, placed person in G.O.(3D).No.4 Higher Education (E2) Department dated 06.03.2014 and by consider the representation dated 9.09.2019 and all attended monetary benefits.

2.The case of the petitioner is that he was appointed as Lecturer in the 4th respondent aided college as Lecturer in Zoology in the retirement vacancy of one T.Aasiban Peeter, who was retired from service on 31.05.2001. Instead of giving the petitioner from the date of his initial appointment i.e., 02.07.2012 and the same was approved by the 3rd respondent only on 02.03.2016. The petitioner has been working without salary from the date of the appointment in the retirement vacancy arising out of a sanctioned post. The petitioner made a representation to the respondents to pay salary and approval of the appointment from 02.07.2012 to 25.01.2016, till date, the same has not been considered. Hence, this writ petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that similarly placed person in G.O.(3D).No.4 Higher Education (E2) Department dated 06.03.2014, approval given by the 1st Respondent. The learned counsel further submitted that it would suffice, if a direction is issued to the respondents to consider the representation of the petitioner dated 09.09.2019 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, direct the respondents 2 & 3 to consider the petitioner's representation dated 09.09.2019 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.

6.With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar



KP
To

1. Government of Tamil Nadu,
Rep. by its Secretary,
Higher Education Department,
Fort St. George,
Chennai-600 009.
2. The Director of Collegiate Education,
College Road,
Chennai 600 006.
3. The Joint Director of Collegiate Education,
Thanjavur Region,
Thanjavur-613 005.
4. The Secretary,
T.B.M.L. College,
Porayar-609 307
Nagapattinam District.

+1cc to the Government Pleader SR.98433

W.P.No.32773 of 2019

BP(CO)
CB(09/01/2020)