

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.33330, 33332, 33333 & 33334 of 2019

Dr.R.R.Sheeja	...	Petitioner in W.P.No.33330 of 2019
Dr.I.R.Sheela	...	Petitioner in W.P.No.33332 of 2019
Dr.D.Ajith Sims	...	Petitioner in W.P.No.33333 of 2019
Dr.N.K.Amaliya	...	Petitioner in W.P.No.33334 of 2019

Vs.

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

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

3.The Joint Director of Collegiate Education,
Thirunelveli Region,
Thirunelveli

4.The Correspondent - Secretary,
Women's Christian College,
Nagercoil

.... Respondents in all W.P.'s

Prayer in W.P.No.33330 of 2019:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to approve the petitioner's appointment as Assistant Professor in Botany in the fourth respondent College, in the sanctioned Retirement vacancy of Dr.T.Christy Kala with effect from 09.10.2019 in the light of the order passed 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 second respondent to the similarly placed persons like Dr.Vinila Dennis & 4 others vide proceedings Na.Ka.No.3422/F2/2019 dated 01.04.2019 with monetary and all other attendant and service benefits based on the representation of the petitioner dated 24.10.2019.

Prayer in W.P.No.33332 of 2019:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to approve the petitioner's appointment as Assistant Professor in Commerce in the fourth respondent College, in the sanctioned Retirement vacancy of Dr.R.Rathiha with effect from 09.10.2019 in the light of the order passed 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 second respondent to the similarly placed persons like Dr.Vinila Dennis & 4 others vide proceedings Na.Ka.No.3422/F2/2019 dated 01.04.2019 with monetary and all other attendant and service benefits based on the representation of the petitioner dated 24.10.2019.

Prayer in W.P.No.33333 of 2019:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to approve the petitioner's appointment as Assistant Professor in Economics in the fourth respondent College, in the sanctioned Retirement vacancy of Dr.M.Janet Vasantha Kumari with effect from 09.10.2019 in the light of the order passed 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 second respondent to the similarly placed persons like Dr.Vinila Dennis & 4 others vide proceedings Na.Ka.No.3422/F2/2019 dated 01.04.2019 with monetary and all other attendant and service benefits based on the representation of the petitioner dated 24.10.2019.

Prayer in W.P.No.33334 of 2019:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to approve the petitioner's appointment as Assistant Professor in Chemistry in the fourth respondent College, in the sanctioned Retirement vacancy of Dr.Malika Amarnath with effect from 24.10.2014 in the light of the order passed 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 second respondent to the similarly placed persons like Dr.Vinila Dennis & 4 others vide proceedings Na.Ka.No.3422/F2/2019 dated 01.04.2019 with monetary and all other attendant and service benefits based on the representation of the petitioner dated 24.10.2019.

For Petitioners	
in All WPs.	: Mr.A.V.Bharathi
For R1 to R3	: Mr.V.Kadhirvelu,
in All WPs.	Special Government Pleader
For R4	
in All WPs.	: Mr.E.Martin Jayakumar

COMMON O R D E R

By consent, these writ petitions are taken up for final disposal at the admission stage itself.

2.The case of the petitioners is that the petitioner in W.P.No.33330 of 2019 was appointed as Assistant Professor in Botany on 09.10.2019 in the sanctioned retirement vacancy of Dr.T.Christy Kala. The petitioner in W.P.No.33332 of 2019 was appointed as Assistant Professor in Botany on 09.10.2019 in the sanctioned retirement vacancy of Dr.R.Rathiha, the petitioner in W.P.No.33333 of 2019 was appointed as Assistant Professor in Economics on 09.10.2019 in the sanctioned retirement vacancy of Dr.M.Janet Vasantha Kumari and the petitioner in W.P.No.33334 of 2019 was appointed as Assistant Professor in Chemistry on 24.10.2014 in the sanctioned retirement vacancy of Dr.Malika Amarnath. Thereafter the College Committee forwarded the proposals for approval of their appointments on 14.10.2019, but so far no action has been taken on the same. Even the petitioners have sent representations dated 24.10.2019, which have also not been considered so far. Hence, the petitioners have filed the present petitions.

3.Heard both sides.

4.The learned counsel for the petitioners submitted that it would suffice, if a direction is issued to the respondents 1 to 3 to consider the proposals dated 14.10.2019 sent by the fourth respondent and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioners have sought for a larger relief, this Court without going into the merits of the case, directs the respondents 1 to 3 to consider the proposals dated 14.10.2019 sent by the fourth respondent and also the representations of the petitioners dated 24.10.2019 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, these writ petitions stand disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary,
State of Tamil Nadu,
Higher Education Department,
Secretariat, Fort St.George,
Chennai - 600 009

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

3.The Joint Director of Collegiate Education,
Thirunelveli Region,
Thirunelveli

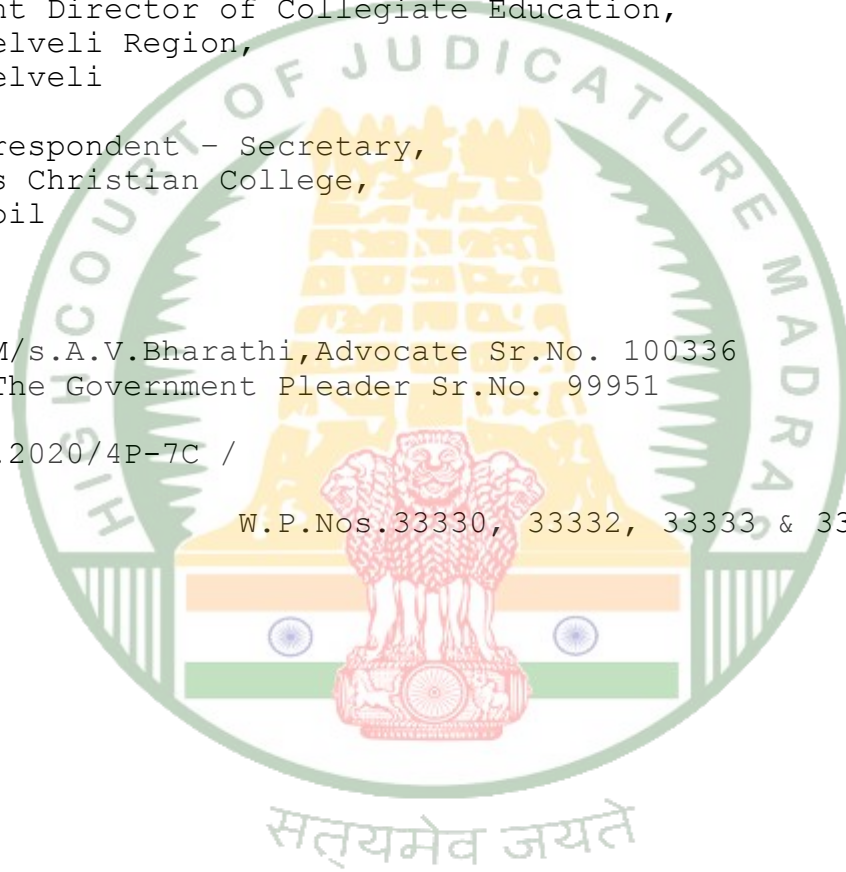
4.The Correspondent - Secretary,
Women's Christian College,
Nagercoil

+1 cc to M/s.A.V.Bharathi,Advocate Sr.No. 100336

+1 cc to The Government Pleader Sr.No. 99951

AKM/09.01.2020/4P-7C /

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