

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No. 35213 of 2019

R.Ramalakshmi

...Petitioner

Vs.

1.The State of Tamil Nadu,  
Rep. By Secretary,  
Department of Higher Education,  
Fort St.George, Chennai - 9.

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

3.The Joint Director of Collegiate Education,  
Madurai Region, Madurai - 620 002.

4.The Correspondent / Secretary,  
Rajapalayam Raju's College,  
Rajapalayam - 626 117,  
Virudhunagar District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents herein to approve and regularize the petitioner appointment as Assistant Professor in Mathematics in Rajapalayam Raju's College, Rajapalayam, in the sanctioned retirement vacancy of V.Lakshmi Narasimmaragavan with effect from 20.06.2013 to 27.01.2016 in the light of approval given by the 2<sup>nd</sup> respondent to the similarly placed persons R.C.Rajan Udhayakumar in Na.Ka.No.30199/F2/2019 dated 29.08.2019 and Mrs.E.Ashlyn Kirupa in Na.Ka.No.48711/F2/2018 dated 15.10.2019 in W.P.No. 17368 of 2005 dated 29.06.2005, W.A.Nos. 140, 811 of 2006 and 805 of 2007, and in SLP.Nos. 19526 - 19528 of 2013 with all attended, service and monetary benefits.

For Petitioner : Mr.A.Rajesh

For Respondents : Mr.V.Kadhirvel,

Special Government Pleader  
for R1 to R3.

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents to approve and regularize the service of the petitioner in the post of Assistant Professor from the year 2013 onwards.

2. The case of the petitioner is that he was appointed as a Assistant Professor in Mathematics in the 4<sup>th</sup> respondent college on 20.06.2013 in a sanctioned vacancy that arose due to the retirement of a regularly approved staff. The petitioner was called for the selection and he was appointed by the 4<sup>th</sup> respondent college and they had also sought for the approval of the appointment of the petitioner. The grievance of the petitioner is that the appointment of the petitioner was approved by the second respondent only with effect from 20.01.2016 and the petitioner ought to have been granted approval with effect from 20.06.2013. Therefore, the petitioner has also made a representation in this regard and since the same was not considered, this present writ petition has been filed before this Court.

3. Heard Mr.A.Rajesh, learned counsel appearing on behalf of the petitioner and Mr.V.Kadhirvel, learned Special Government Pleader appearing on behalf of the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 08.11.2019 and deal with the same on its own merits and strictly in accordance with law and pass appropriate orders within a period of six(6) weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of the earlier representation dated 08.11.2019 and all the relevant materials and a copy of this order.

5. This writ petition is disposed of with the above direction. No costs.

Sd/-  
Assistant Registrar (CS-III)

// True Copy//

Sub Assistant Registrar

kkn

To:

- 1.The Secretary,  
Department of Higher Education,  
Fort St.George, Chennai - 9.
- 2.Director of Collegiate Education,  
College Road, Chennai - 600 006.
- 3.The Joint Director of Collegiate Education,  
Madurai Region, Madurai - 620 002.
- 4.The Correspondent / Secretary,  
Rajapalayam Raju's College,  
Rajapalayam - 626 117,  
Virudhunagar District.

+1cc to Mr.A.Rajesh, Advocate, SR.No.105576.  
+1cc to Government Pleader, SR.No.106721.

W.P.No. 35213 of 2019

PP(CO)  
CSR: 29/01/2020



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