

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.26480 of 2018

Mr. G. John Christopher

..Petitioner

vs

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

2. The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli.

3. The Secretary-Cum-Correspondent,
Nesamony Memorial Christian College,
Marthadam.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus or any other appropriate writ, order or direction directing the first respondent to approve the petitioner's appointment as Sweeper in the Nesamony Memorial Christian College, Marthadam in the Sanctioned vacancy caused by the Promotion of Mr.N.Robin Jebanesan with effect from 13.06.2007 in the light of approval given to similarly place non-teaching staffs Mr.M.Stephen and Mr.Cithirairaj Gnanadhasan vide Na.Ka.No.59741/F2/2014 dated 13.01.2015 with all monetary benefits based on this Hon'ble High Court and Supreme Court orders passed in W.P.No.23712 dated 26.09.2008, W.A.No.99 of 2009 dated 24.04.2009 and SLP.No.27331 of 2013 dated 04.10.2013 with monetary benefits, Seniority in service, and other attendant benefits with effect from 13.06.2007 based on the representation given by the petitioner dated 23.01.2018 and pass orders.

For Petitioner : Mr. E. Martin Jayakumar

For Respondents : Mr. V. Kathirvelu,
Special Government Pleader

O R D E R

The learned counsel for the petitioner would submit that the matter relates to approval of appointment.

2. The learned counsel for the petitioner would further submit that though the similarly placed persons' appointments were approved by the first respondent from the initial date of appointment vide its proceedings in Na.Ka.No.59741/F2/2014 dated 13.01.2015, however the petitioner's appointment was not approved for which, the petitioner made a representation to the first respondent on 23.01.2018 and it would be suffice to issue directions to the first respondent to consider the petitioner's representation dated 23.01.2018 within a time stipulated by this Court on merits and in accordance with law.

3. The Special Government Pleader appearing for the respondent concedes with the learned counsel for the petitioner.

4. Considering the above facts and circumstances and the limited request made by the petitioner, I am inclined to issue direction to the first respondent to consider the representation dated 23.01.2018 and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mrn

To

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

2. The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli.

3. The Secretary-Cum-Correspondent,
Nesamony Memorial Christian College, Marthadam.

+1cc to Mr.E. Martin Jayakumar , Advocate SR.No. 76364

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A.SK(16/10/2019)