

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 27.03.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.5195 of 2019**

A.Jeyapandi

... Petitioner

Vs.

1.The Principal Secretary,
Higher Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Director of Collegiate Education,
E.N.K. Sampath Maligai,
College Road, Chennai - 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the first respondent to consider and pass appropriate orders in accordance with law on the petitioner's representation, dated 03.01.2019 within the time frame fixed by this Court.

For Petitioner : Mr.B.S.Meltiue

For Respondents : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the first respondent to consider the petitioner's representation, dated 03.01.2019 within the time frame fixed by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.The case of the petitioner is that the first respondent, vide proceedings, dated 18.02.2013, appointed him as Junior Assistant in the office of the Joint Director of Collegiate Education, Madurai and he was subsequently promoted as Assistant.

4.The grievance of the petitioner is that the respondents have appointed eligible non-teaching staff as Assistant Professors in the light of G.O.Ms.No.236, Education Science and Technology (F2) Department, dated 23.03.1995. Since the petitioner has acquired M.A., Ph.D (Tamil), and he is eligible to be appointed as Assistant



Professor, he has sent a representation to the respondents on 03.01.2019. Since the same has not been considered by the respondents so far, the petitioner has filed the present Writ Petition.

5. The learned Government Advocate appearing for the respondents submitted that the petitioner's representation will be considered on merits and appropriate orders will be passed.

6. In such view of the matter, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner, dated 03.01.2019 in the light of G.O.Ms.No.236, Education Science and Technology (F2) Department, dated 23.03.1995 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Principal Secretary,
Higher Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Director of Collegiate Education,
E.N.K. Sampath Maligai,
College Road, Chennai - 600 006.

+1cc to Mr.B.S.MELTIVE, Advocate, SR.No. 57533

+1cc to M/s.Special Government Pleader, SR.No. 57352

W.P(MD) No. 5195 of 2019
27.03.2019