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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) Nos.7185 and 7281 to 7292 of 2019

WP (MD) No.7185 of 2019

H.Packia Raj

... 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,
Women's Christian College,
Nagercoil.

... Respondents

PRAYER IN WP (MD) No.7185 OF 2019: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to approve the petitioner's appointment as office Assistant in the 3rd respondent college in the sanctioned vacancy caused by the retirement of Mr.Monibalan w.e.f. 01.08.2016 in the light of approval given by the 1st respondent to similarly placed non-teaching staff Mr.Paul Pandian vide Na.Ka.No. 47530/F2/2016 dated 18.04.2017 with all monetary benefits, Seniority in Service and other attendant benefits w.e.f. 01.08.2016 based on the proposal of the 3rd respondent College dated 08.08.2016 and the petitioner's representation dated 23.01.2018.

WP (MD) No.7281 OF 2019

MR.P.CHRISTOPHER JEROME

... Petitioner



1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

... Respondent

Prayer in WP(MD) . 7281/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Laboratory Assistant in the 3rd respondent college in the sanctioned vacancy caused by the Retirement of Mr.R.Balasubramanian w.e.f. 01.10.2018 in the light of approval given by the 1st respondent to the similarly placed 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

WP(MD) . 7282 OF 2019

MR.S.AUGUSTINE,

... Petitioner

- Vs. -

1 THE DIRECTOR OF COLLEGIATE EDUCATION, COLLEGE ROAD,
CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI



3 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

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.. Respondent

Prayer in WP(MD). 7282/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Record Clerk in the 3rd respondent college in the sanctioned vacancy caused by the Promotion of Mr.J.D. Raja Victor Mansingh w.e.f. 01.10.2018 in the light of approval given by the 1st respondent to the similarly placed 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

WP(MD). 7283 OF 2019

MRS. B.PERSILA VASANTHA KUMARI,

... Petitioner

- Vs. -

1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

<https://hcservices.ecourts.gov.in/hcservices/>

... Respondents

Prayer in WP(MD). 7283/ 2019 : Writ Petition is filed under Article



226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Record Clerk in the 3rd respondent college in the sanctioned vacancy caused by the Retirement of Mr.S.Sahayaraj w.e.f. 01.10.2018 in the light of approval given by the 1st respondent to the similarly placed 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

WP(MD) . 7284 OF 2019

MR.R.ISAAC ARUNKUMAR

... Petitioner

- Vs. -

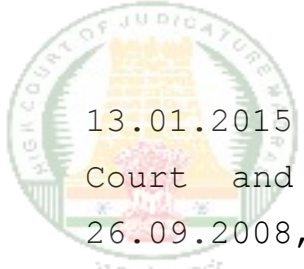
1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY
THE AMERICAN COLLEGE, MADURAI-2

... Respondent

Prayer in WP(MD) . 7284/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Store Keeper in the 3rd respondent College in the Sanctioned vacancy caused by the Retirement of Mr.K.Nagarajan w.e.f. 01.01.2018 in the light of approval given by the 1st respondent to the similarly placed non-teaching staffs Mr.M.Stephen and Mr.Chithirairaj 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

WP(MD) . 7285 OF 2019

MR.S.THOMAS ANDREW CHELLIAH

... Petitioner

- Vs. -

1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY
THE AMERICAN COLLEGE, MADURAI-2

... Respondents

Prayer in WP(MD) . 7285/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Office Assistant in the 3rd respondent college in the sanctioned vacancy caused by the Retirement of Mr.M.Veluchamy w.e.f. 01.10.2018 in the light of approval given by the 1st respondent to the similarly placed 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

**WP(MD) . 7286 OF 2019**

MR.S.ALWIN DURAI

... Petitioner

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- Vs. -

1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

... Respondents

Prayer in WP(MD) . 7286/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Office Assistant in the 3rd respondent College in the Sanctioned vacancy caused by the Promotion of Mr.A.Ravikumaran w.e.f. 01.01.2018 in the light of approval given by the 1st respondent to the similarly placed non-teaching staffs Mr.M.Stephen and Mr.Chithirairaj 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

WP(MD) .7287 OF 2019

MR.A.RANIS GODWIN

... Petitioner

- Vs. -



2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

... Respondents

Prayer in WP(MD). 7287/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Office Assistant in the 3rd respondent College in the Sanctioned vacancy caused by the Promotion of Mr.S. Rajendran w.e.f. 01.01.2018 in the light of approval given by the 1st respondent to the similarly placed non-teaching staffs Mr.M.Stephen and Mr.Chithirairaj 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

WP(MD). 7288 of 2019

MRS.C. REVATHY,

... Petitioner

- Vs. -

1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

... Respondent

<https://hcservices.ecourts.gov.in/hcservices/>

Prayer in WP(MD). 7288/ 2019 : Writ Petition is filed under Article



226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Office Assistant in the 3rd respondent college in the sanctioned vacancy caused by the Promotion of Mr. J.D. Raja Victor Mansingh w.e.f. 01.10.2018 in the light of approval given by the 1st respondent to the similarly placed non-teaching staffs Mr.M.Stephen and Mr.Chithirairaj 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

WP (MD) . 7289 of 2019

MRS. B.KALAISELVI

... Petitioner

- Vs. -

1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

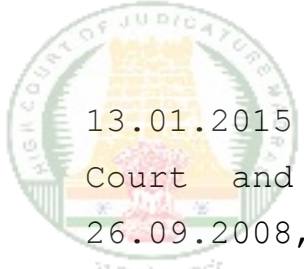
2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

... Respondents

Prayer in WP (MD) . 7289/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Office Assistant in the 3rd respondent College in the Sanctioned vacancy caused by the Promotion of Mr.S. Sahayaraj w.e.f. 01.01.2018 in the light of approval given by the 1st respondent to the similarly placed non-teaching staffs Mr.M.Stephen and Mr.Chithirairaj 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

WP(MD) .7290 of 2019

MR.N.FRANCIS ALEXANDER

... Petitioner

- Vs. -

1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY
THE AMERICAN COLLEGE, MADURAI-2

... Respondent

Prayer in WP(MD) . 7290/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Office Assistant in the 3rd respondent College in the Sanctioned vacancy caused by the Promotion of Mr J.Rajarathinam w.e.f. 01.01.2018 in the light of approval given by the 1st respondent to the similarly placed non-teaching staffs Mr.M.Stephen and Mr.Chithirairaj 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.



WP(MD). 7291 of 2019

MR.C.KARTHIKEYAN,

... Petitioner

- Vs. -

1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

... Respondents

Prayer in WP(MD). 7291/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Office Assistant in the 3rd respondent college in the sanctioned vacancy caused by the Promotion of Mr. M. Jeevasirppy w.e.f. 01.10.2018 in the light of approval given by the 1st respondent to the similarly placed 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

WP(MD). 7292 of 2019

MR.A.PAUL DURAI

... Petitioner

- Vs. -



1 THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI-6

2 THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI

3 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

... Respondents

Prayer in WP(MD). 7292/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to approve the petitioners appointment as Office Assistant in the 3rd respondent College in the Sanctioned vacancy caused by the Dismissal of Mr.P.Chellachamy w.e.f. 01.01.2018 in the light of approval given by the 1st respondent to the similarly placed non-teaching staffs Mr.M.Stephen and Mr.Chithirairaj 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 passed in WP.No.23712 OF 2008 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 01.10.2018 based on the 3rd respondent College proposal dated 16.10.2018 and representation given by the Petitioner dated 18.01.2019.

IN ALL WP's

For Petitioner : Mr.T.Arul

For Respondent : Mr.CM.Marichelliah Prabhu,
Nos.1 and 2 Additional Government Pleader

COMMON ORDER

The prayer made in these writ petitions is to direct the 1st respondent to to approve the petitioners' appointments in the 3rd respondent College, in the light of approval given by the 1st respondent to similarly placed staff with all monetary benefits, seniority in service and other attendant benefits, based on the



proposals of the 3rd respondent College and the petitioners' representations.

2. Heard the learned Counsel for the petitioners and the learned Additional Government Pleader appearing for the respondent Nos.1 and 2. By Consent, these writ petitions are taken up for final disposal at the stage of admission itself.

3. The grievance of the petitioners is that they are working in the 3rd respondent College and the 3rd respondent College sent proposals to the 1st and 2nd respondents, seeking approval of the appointments of the petitioners. When similarly placed persons were given benefits of approval of appointment with all other attendant benefits, the petitioners' appointments alone have not been approved. In connection with the same, the petitioners have made representations, which have also not been considered by the respondent Nos.1 and 2. Hence, the petitioners have approached this Court, for appropriate orders.

4. The learned Additional Government Pleader appearing for the official respondents, submitted that the representations of the petitioners would be considered on merits within the time stipulated by this Court.

5. Under these circumstances, this Court, without going into the merits of the case, directs the respondent Nos.1 and 2 to consider the petitioners' respective representations *qua* their claim for approval of appointments, on merits and in accordance with law and also in the light of the proposals sent by the respondent No.3 and pass necessary orders, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petitions are disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

dsk

To

1. THE DIRECTOR OF COLLEGIATE EDUCATION,
COLLEGE ROAD, CHENNAI - 600 006.

<https://hcservices.ecourts.gov.in/hcservices/>



2. THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
TIRUNELVELI REGION, TIRUNELVELI.

3. THE JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, MADURAI.

4 THE SECRETARY

THE AMERICAN COLLEGE, MADURAI-2

13CC'S TO MR. T.ARUL, ADVOCATE

SR Nos. 57130, 57250, 57249, 57248, 57245,
57247, 57246, 57244, 57243, 57242, 57251,
57241, 57240.

2CC'S TO THE SPL GOVT PLEADER SR 57342, 57752.

DS

27/04/2019

13P/20C

WP(MD) Nos. 7185 and 7281 to 7292 of 2019

27.03.2019