

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 05.07.2019****CORAM:****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No.13099 of 2014
and M.P (MD) Nos.2 and 3 of 2014

S.Ginil Mon

... Petitioner

-Vs-

1. Director of Collegiate Education,
9th Floor, EVK Sambath Buildings,
College Road,
Chennai - 600 006.

2. The C.S.I. Diocese Represented by
The Bishop,
71-A, Dennis Street,
Nagercoil - 625 001.

3. The Diocesan Employment Bureau,
The C.S.I. Diocese,
71-A, Dennis Street,
Nagercoil - 625 001,
Kanyakumari District.

4. Scott Christian College,
Rep. by its Correspondent-Secretary,
Nagercoil - 629 003
Kanyakumari District.

5. Nesamony Memorial Christian College,
Rep. by its Correspondent-Secretary,
Marthandam - 629 165
Kanyakumari District.

... Respondents

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for the records passed by the third respondent herein in Ref.No.CSIDEB/2014/17 dated 30.06.2014 in so far as the list of candidates forwarded for the post of Assistant Professor in Chemistry and quash the same and consequently direct the respondents herein to consider the case of the petitioner for appointment in aided vacancy sanctioned by the Government in the post of Assistant Professor in Chemistry in the educational institutions under the second respondent herein.



For Petitioner : Mr.S.Jayakumar
For R1 : Mr.M.Jeyakumar
Additional Government Pleader.
For R2 to R5 : Mrs.P.Susmitha
for Isaac Chambers

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ORDER

The grievance of the petitioner is that he was engaged as Assistant Professor on temporary basis in a leave vacancy. The writ petitioner was appointed in the leave vacancy arose during the period 1.12.2010 to 31.3.2012. However, the services of the writ petitioner was not continued thereafter.

2.The learned counsel for the writ petitioner states that the writ petitioner was continuously working for about 2 years and therefore, he must be engaged as Assistant Professor in an arising vacancy, which is sanctioned by the Government in the College.

3. The fifth respondent College is a aided minority institution and the appointment is to be provided by the management of the minority institution. Administering a minority institution is constitutional right of the management. The court cannot interfere by issuing a direction to appoint the writ petitioner in the sanctioned post. Admittedly, the writ petitioner was engaged in the leave vacancy and the case of the writ petitioner shall be considered at the discretion of the management if he is fully qualified.

4. With these observations, this writ petition is disposed of. No costs. Consequently, connected M.P(MD)Nos. 2 and 3 of 2014 are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

Director of Collegiate Education, 9th Floor, EVK Sambath Buildings,
College Road, Chennai - 600 006.

+1 CC to M/s.ISAAC CHAMBERS, Advocate SR-73852.
+1 CC to SPL GP SR-73951.

W.P. (MD) No.13099 of 2014
and M.P(MD) Nos. 2 and 3 of 2014
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