

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

DATED: 14.03.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.24583 of 2018
and W.M.P(MD)No.22289 of 2018**

T.N.Thankasubha

... Petitioner

Vs.

1.The Director of Collegiate Education,
9th Floor, EVK Sampath Malligai,
College Road, Chennai - 600 006.

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

3.Thiagarajar College of Preceptors,
Madurai - 625 009,
Rep. by its Secretary.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents 1 and 2 to approve her promotion/conversion as Typist with effect from 14.11.2011 in terms of the proposal, dated 15.12.2016 and pay arrears of salary and other monetary benefits by considering her representation, dated 21.03.2018.

For Petitioner : Mr.M.Jerin Mathew

For RR 1 & 2 : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader.

For R - 3 : Mr.V.Nirmal Kumar

ORDER

This writ petition has been filed seeking a direction to the respondents 1 and 2 to approve her promotion/conversion as Typist with effect from 14.11.2011 in terms of the proposal, dated 15.12.2016 and pay arrears of salary and other monetary benefits by considering her representation, dated 21.03.2018.

<https://hcservices.ecourts.gov.in/hcservices/> 2. Heard the learned counsel appearing for the petitioner; the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.



3.The case of the petitioner is that she was appointed as Lab Assistant in the third respondent College on 21.01.2008. As the post of Typist fell vacant, the petitioner was promoted to the post of Typist, by order, dated 04.11.2011. Further, to approve the promotion of the petitioner, the third respondent has sent a proposal to the second respondent, who in-turn, informed that the post of Lab Assistant and Typist carry same scale of pay and it would be considered after getting clarification from the first respondent. Hence, the petitioner sent a representation to the respondents 1 and 2 on 21.03.2018. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

4.The learned counsel appearing for the petitioner submitted that the present case is squarely covered by the order of this Court in **W.P(MD)No.12783 of 2017, dated 19.12.2018 (G.Angamuthu vs. The State of Tamil Nadu, Rep. by its Secretary to Government and others)** and submitted that similar direction be issued to the respondents 1 and 2.

5.The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that the representation of the petitioner would be considered by the respondents 1 and 2, on merits.

6.In view of the above, this Court, without going into the merits of the case, directs the respondents 1 and 2 to consider the representation of the petitioner, dated 21.03.2018 seeking approval to the promotion of the petitioner as Typist with effect from the date of her promotion and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Director of Collegiate Education,
9th Floor, EVK Sampath Malligai,
College Road, Chennai - 600 006.



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

3.The Secretary,
Thiagarajar College of Preceptors,
Madurai - 625 009.

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.54369
+1 CC to M/s.M.JERIN MATHEW, Advocate in SR-54265

W.P (MD) No.24583 of 2018
14.03.2019

ps
PK/16.04.2019 : 3P/6C