



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **07.08.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

WP(MD)No.5740 of 2019 and

WMP(MD).No.4528 of 2019

WEB COPY

N. Mary Usha

... Petitioner

Vs.

1.The Director of Collegiate Education,
College Road, Chennai.

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

3.The Manonmaniam Sundaranar University,
rep. by its Registrar,
Abishekapatti, Tirunelveli - 627 012.

4.The Secretary cum Correspondent
Women's Christian College,
Nagercoil - 629 001.
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the third respondent University to grant qualification - approval forthwith to the petitioner's appointment in the 4th respondent College as Assistant Professor in History and Consequentially directing the second respondent Joint Director to Collegiate Education and thereafter, approve the appointment of the petitioner as Assistant Professor in History in the 4th respondent College and disburse salary and all attendant benefits w.e.f., the date of her appointment viz., 14.11.2018, within a stipulated time as may be specified by this Court.

For Petitioner : Mr.Isaac Mohan Lal
Senior Counsel for M/s. Isaac Chambers

For R1 and R2 : Mr.Muthu Karuppan
Additional Government Pleader

For R3 : Mr. M. Mahaboob Athiff
for M/s. Ajmal Associates

**ORDER**

This Writ Petition has been filed for issuing a direction to the third respondent / University to grant qualification - approval forthwith to the petitioner's appointment in the 4th respondent College as Assistant Professor (History) and consequently, direct the second respondent viz., Joint Director to Collegiate Education and thereafter, approve the appointment of the petitioner as Assistant Professor in History in the 4th respondent College and disburse the salary and all attendant benefits w.e.f., the date of her appointment viz., 14.11.2018, within the time frame to be fixed by this Court.

2. According to the petitioner, she was appointed as Assistant Professor (History) in the 4th respondent College on 14.11.2018, due to the vacancy caused on the death one Dr.V. Gilda. The fourth respondent has submitted the said proposal to the third respondent / university requesting for its order of qualification - approval to her appointment vide letter in Ref.No.WCC/ NGL/QA/119/2019, dated 11.02.2019 along with relevant documents. The fourth respondent College has submitted another proposal to the Joint Director of Collegiate Education, Thirunelveli Region, Thirunelveli, to approve the appointment of the petitioner.

3. According to the learned Senior Counsel appearing for the petitioner the aforesaid proposal submitted by the 4th respondent College is still pending before the third respondent / University. Therefore, he has filed the present Writ Petition before this Court.

4. The learned counsel appearing for the 3rd respondent / University submitted before this Court that the said proposal returned to the 4th respondent College to rectify certain defects in the aforesaid proposal on 19.02.2019 and thereafter, on 25.06.2019, the 4th respondent College has resubmitted the said proposal to the third respondent / University and now, the same is pending and further submitted that, if the petitioner has satisfied the educational qualification and conditions, the third respondent / University shall forward to the 2nd respondent for approval of the appointment of the petitioner.

5. Having regard to the submissions made by the learned counsel appearing on either side, this Court, without going into the merits of the case, directs the third respondent / University to consider the proposal re-submitted by the 4th respondent, dated 25.06.2019, for appointing the petitioner as Assistant Professor (History) in the 4th respondent College in accordance with law, as soon as possible, in any event, not later than three



weeks from the date of receipt of a copy of this order. Thereafter, the petitioner shall approach the second respondent for getting further approval, based on the proposal submitted by the second respondent.

6. With the above direction, this writ petition is 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,
College Road, Chennai.

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

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-80502[F] dated 08/08/2019)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-80618[F] dated 08/08/2019)

+1 CC to M/s.SPL GP (SR-80723[F] dated 08/08/2019)

TRP

WP(MD)No.5740 of 2019 and
WMP(MD).No.4528 of 2019
07.08.2019

KM/(09.09.2019) 3P 6C