



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.16377 of 2017

Arputharaj

... Petitioner

Vs.

1.The Secretary to Government,
Higher Education Department,
Chennai-9.

2.The Director of Collegiate Education,
O/o. Director of Collegiate Education,
Chennai-6.

3.The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli-1

4.The Secretary,
Nazareth Margoschis College,
Pillaiyanmanai, Nazareth-628 617,
Tuticorin District.

... 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 2 and 3 to approve the appointment of the petitioner as Games Marker in the fourth respondent College with all service benefits by considering the representation of the fourth respondent College as well as the representations of the petitioner, dated 06.12.2012 and 18.08.2017.

For Petitioner : Mr.S.Siva Thilakar

For RR 1 to 3 : Mr.S.Angappan,
Government Advocate.

For R - 4 : Mr.P.M.Vishnuvarthanan

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents 2 and 3 to approve the appointment of the petitioner as Games Marker in the fourth respondent College by considering the representations of the petitioner, dated 06.12.2012 and 18.08.2017.



2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent.

3. The grievance of the petitioner is that even though he was temporarily appointed as Games Marker in the fourth respondent College with effect from 06.10.1997, as per G.O.Ms.No.602, dated 04.12.1997, the fourth respondent sent a proposal to the second and third respondents to approve the petitioner's appointment and the petitioner has also sent representation, dated 18.08.2017 in this regard. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

4. The learned Government Advocate appearing for the respondents 1 to 3 submitted that it is agreeable for the respondents to consider the petitioner's representation and pass orders on merits.

5. In such view of the matter, this Court, without going into the merits of the matter, directs the second and third respondents to consider the petitioner's representation, dated 18.08.2017 seeking for approval of the appointment of the petitioner as Games Marker in the fourth respondent College and pass appropriate orders on merits and in accordance with law, in one way or other, 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.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

Ps
To

1. The Secretary to Government,
Higher Education Department,
Chennai-9.

2. The Director of Collegiate Education,
O/o. Director of Collegiate Education,
Chennai-6.



3.The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli-1

+1CC TO MR.S.SIVA THILAKAR, Advocate Sr. No. 55334

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TR (15.04.2019) 3P 5C