



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD) No.31 of 2016

and

W.M.P. (MD) No.38 of 2016

The Secretary,
Holy Cross College (Autonomous),
Tiruchirappalli-620 002,
Tiruchirappalli District.

... Petitioner

vs

1.The Director of Collegiate Education,
College Road, Chennai-600 006.

2.The Joint Director of Collegiate Education,
Tiruchirappalli Region, Tiruchirappalli-620 002.

3.The Bharathidasan University,
represented by its Registrar,
Tiruchirappalli-620 002.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent Joint Director to approve forthwith the appointment of 27 teaching staffs (Name list annexed) in the petitioner's college and disburse the grant-in-aid towards their salary and allowances w.e.f., the respective dates of their appointment.

For Petitioner : Mr.T.Cibi Chakraborty
For Respondents : Mrs.J.Padmavathy Devi
Special Government Pleader
for R.1 and R.2

: Mr.V.R.Shanmuganathan
for R.3

ORDER

The Writ Petition is filed seeking a direction to the second respondent to approve forthwith the appointment of 27 teaching staffs in the petitioner's college and disburse the grant-in-aid towards their salary and allowances w.e.f., the respective dates of their appointment.

2. Heard the learned Counsel appearing for the petitioner and the learned Counsel appearing for the respondents 1 and 2 and the learned Counsel appearing for the

third respondent and perused the materials available on record.

3. The learned Counsel appearing for the petitioner submitted that the issue granting approval had already been attained finality, by the judgment of a Division Bench of this Court reported in **(2013) 7 MLJ 641 (P.Ravichandran Vs. State of Tamil Nadu, represented by the Secretary to Government, Department of Higher Education, Chennai and Others)**. After filing this writ petition, interim order was passed on 05.01.2016 and a provisional approval for appointment of 27 teaching staff had been granted only on 24.02.2016, with effect from 05.01.2016. Pointing out the legal aspects as well as the directions of this Court in **P.Ravichandran's case** (cited supra) , the petitioner has made a representation on 01.08.2016, requesting to approve the appointment of 27 teaching staff from the date of their appointment. Since the same has not been considered so far, the petitioner seeks appropriate direction to the respondents.

4. The learned Special Government Pleader appearing for the respondents 1 and 2 as well as the learned Counsel appearing for the third respondent would submit that the petitioner's representation would be considered within a time frame as fixed by this Court.

5. Considering the nature of the prayer as sought for by the petitioner, without going into the merits of the petitioner's case, the respondents are directed to consider the representation of the petitioner, dated 01.08.2016, requesting to approve the appointment of 27 teaching staffs from the date of their appointment and pass appropriate orders on merits and in accordance with the dictum laid down by the Division Bench of this Court in **P.Ravichandran's case** referred to supra, after due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

To

<https://hcservices.ecourts.gov.in/hcservices/>
The Director of Collegiate Education,
College Road, Chennai-600 006.



2.The Joint Director of Collegiate Education,
Tiruchirappalli Region, Tiruchirappalli-620 002.

3.The Bharathidasan University,
represented by its Registrar,
Tiruchirappalli-620 002.

+1 CC to M/s.VR.SHANMUGANATHAN, Advocate (SR-52335[F] dated
07/03/2019)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-52410[F] dated
07/03/2019)

+1 CC to M/s.SPL GP (SR-52597[F] dated 08/03/2019)

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