



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P. (MD) .No.20963 of 2014
and M.P. (MD) .No.1 of 2014

W.Sunitha

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Higher Education,
Fort St. George,
Chennai - 600 009.

2.The Director of Collegiate Education,
College Road, Chennai - 6.

3.The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli - 627 007.

4.The Nesamony Memorial Christian College,
Rep. by its Correspondent and Secretary,
Marthandam, Kanyakumari District.

5.Manonmaniam Sundaranar University,
Rep. by its Registrar,
Abishekapatti, Tirunelveli - 627 012.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the second respondent to approve the petitioner's appointment as Assistant Professor of Economics in the fourth respondent college, with effect from 03.07.2014, on the basis of her representation, dated 15.12.2014 with all monetary benefits.

For Petitioner : Mr.T.Arul

For Respondents : Mr.M.Jeyakumar for R1 to R3
Additional Government Pleader
Mr.S.Bala Murugan for R4
Mr.C.R.Kasi Viswanathan for R5 for
M/s Ajmal Associates



ORDER

This writ petition is filed for issuance of writ of Mandamus, directing the second respondent to approve the petitioner's appointment as Assistant Professor of Economics in the fourth respondent college with effect from 03.07.2014 on the basis of the petitioner's representation, dated 05.12.2014.

2.The petitioner states that she has sufficient qualification to be appointed as Lecturer (Now designated as Assistant Professor) in Economics. She was appointed as Lecturer in Economics in the fourth respondent College on 06.04.2013 under the Self Finance Scheme. It is stated that the petitioner is working as such from the date of her appointment. The approval for the appointment of petitioner was returned due to some defects in the proposal. One of the defect pointed out by the third respondent was that the qualification approval was not granted by the university. During the pendency of writ petition, the university has granted qualification approval to the petitioner on 27.07.2017 itself. It is admitted that the petitioner has submitted a proposal on 03.10.2019 along with the qualification approval given by Manonmanium Sundaranar University to the petitioner.

4.The learned Special Government Pleader has also admitted the position that the Joint Director of Collegiate Education has received the proposal along with the qualification approval granted by the university.

5.Having regard to the subsequent developments, this Court is inclined to pass the following orders.

(i) The second respondent is directed to consider the proposal submitted by the petitioner on 03.10.2019, regarding the approval for the appointment of petitioner as Assistant Professor in Economics in the fourth respondent college and pass appropriate order within a period of three weeks from the date of receipt of a copy of this order.

(ii) In case, the approval is granted by the second respondent, **(*)the Third respondent** shall disburse all monetary benefits from the date of her appointment.

No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

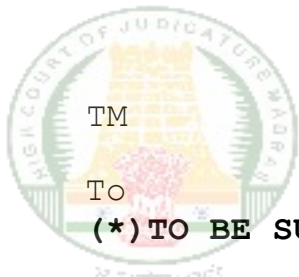
Assistant Registrar (CS-III)

**(*)Amended as per order of
this Hon'ble Court Dated: 04.11.2019**

Sd/-

Assistant Registrar (CS-I)

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To

(*) TO BE SUBSTITUTED THE ORDER ALREADY DESPATCHED ON 25.10.2019

1. The Secretary, Government of Tamilnadu
Higher Education,
Fort St. George,
Chennai - 600 009.
2. The Director of Collegiate Education,
College Road,
Chennai - 6.
3. The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli - 627 007.
4. The Correspondent and Secretary,
Nesamony Memorial Christian College,
Marthandam, Kanyakumari District.
5. The Registrar,
Manonmaniam Sundaranar University,
Abishekapatti, Tirunelveli - 627 012.

+1 CC to M/s.T.ARUL, Advocate SR-95725.
+1 CC to GP SR-91909.
+1 CC to M/s.AJMAL ASSOCIATES, Advocate SR-95726.

W.P. (MD) .No.20963 of 2014

14.10.2019

CS (24.10.2019) 3P 9C
TR (19.11.2019) 3P 9C