



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD)No.23081 of 2019

and

W.M.P(MD)No.19817 of 2019

Joy Sofini

... Petitioner

Vs.

1.The Director of Collegiate Education,  
Dept., of Higher Education,  
Govt. of Tamil Nadu,Nungampakkam,  
Chennai.

2.The Regional Joint Director of Collegiate Education,  
Dept. of Higher Education,  
Govt. of Tamil Nadu, Tirunelveli.

3.The Registrar,  
Manonmaniam Sundaranar University,  
Abishekapatti, Tirunelveli.

4.The Correspondent,  
Nazareth Margoschis College,  
Nazareth-628 617.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to approve the appointment of the petitioner as Librarian in the fourth respondent college with effect from 18.06.2018 in pursuant to the proceeding of the third respondent vide his proceeding MSU/R/CDC/A7/214/Q.A/A.P.(A) dated 04.12.2018 approving the qualification of the petitioner.

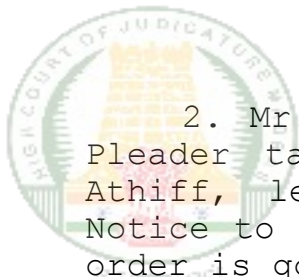
For Petitioner: Mr.B.Anandhan

For R1 & R2 : Mr.C.M.Mari Chellaiah Prabhu  
Additional Government Pleader

For R3 : Mr.Mahaboob Athiff

**ORDER**

This writ petition is filed for a direction to the respondents 1 & 2 to approve the appointment of the petitioner as Librarian in the fourth respondent college with effect from 18.06.2018 in pursuant to the proceedings of the third respondent, vide his proceeding MSU/R/CDC/A7/214/Q.A/A.P.(A) dated 04.12.2018, approving the qualification of the petitioner.



2. Mr.C.M.Mari Chellaiah Prabhu, learned Additional Government Pleader takes notice for the respondents 1 & 2 and Mr.Mahaboob Athiff, learned counsel takes notice for the third respondent. Notice to the fourth respondent is dispensed with, since no adverse order is going to be passed against the fourth respondent.

3. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. According to the petitioner, she was appointed as Librarian on 18.06.2018 in the fourth respondent College. The fourth respondent sent a proposal dated 28.03.2019 for approving the qualification of the petitioner to the third respondent and the third respondent approved the qualification of the petitioner by the proceedings dated 04.12.2018. Subsequently, the fourth respondent sent a proposal to the second respondent for approval of the appointment of the petitioner. However, the second respondent has not passed any orders on the proposal submitted by the fourth respondent so far. Hence, the petitioner has come out with the present writ petition.

5. The learned counsel appearing for the petitioner submitted that earlier one Justin Meshack was appointed by the fourth respondent and a proposal for approval of the qualification of said Justin Meshack was sent. The third respondent did not approve the qualification of the said person. Challenging the said order, he has filed a writ petition in W.P(MD)No.10968 of 2015. This Court, by order dated 23.04.2018, dismissed the said writ petition. Against the said order of dismissal, he has filed a writ appeal in W.A.(MD)No.1611 of 2018 and the same is pending. No interim order was granted in the writ appeal. He further submitted that the approval of the appointment of the petitioner was kept pending in view of the pendency of the writ appeal in W.A.(MD)No.1611 of 2018 filed by one Justin Meshack.

6. Considering the above facts and the submission of the learned counsel for the petitioner, the respondents 1 & 2 are directed to consider the proposal submitted by the fourth respondent for approval of the appointment of the petitioner to the third respondent and pass orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The Director of Collegiate Education,  
Dept., of Higher Education,  
Govt. of Tamil Nadu,  
Nungampakkam,  
Chennai.

2.The Regional Joint Director of Collegiate Education,  
Dept. of Higher Education,  
Govt. of Tamil Nadu,  
Tirunelveli.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate ( SR-95747[F] dated  
04/11/2019 )

+1 CC to M/s.B.ANANDAN, Advocate ( SR-96158[F] dated 05/11/2019 )

+1 CC to M/s.SPL GP ( SR-96083[F] dated 05/11/2019 )

am

**W.P. (MD) No.23081 of 2019**  
**04.11.2019**

**sma/02/12/19/3p/6c**