



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.10695 of 2020

K.Muthukumar

... Petitioner

Vs.

1.The Tamil Nadu State Information Commissioner,
O/o.The State Information Commission,
No.2, Thiyagaraya Road,
Near Aalaiaimman Kovil,
Teynampettai, Chennai.

2.The Regional Joint Director of Collegiate Education,
Tirunelveli. ... Respondents
(R2 is suo motu impleaded vide Court order
dated 02.09.2020 in W.P.(MD)No.10695 of 2020)

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to pass order on petitioner's representation dated 28.07.2020 seeking to pass final orders in the second appeal preferred by the petitioner dated 10.01.2020 within the period that may be stipulated by this Court.

For Petitioner : Mr.M.E.Ilango
For Respondents : Mr.K.K.Senthil for R1
Mrs.S.Srimathy,
Special Government Pleader for R2

O R D E R

Heard the learned counsel on either side.

2.This writ petition was originally filed for directing the State Information Commission to pass order on the petitioner's second appeal. When the matter was taken up for admission, I suo motu impleaded the Regional Joint Director of Collegiate Education, Tirunelveli, as the second respondent. I expected the second respondent to have furnished the information to the petitioner by now.

3.Today (ie., 09.09.2020) when the matter was taken up for hearing, the second respondent had not furnished the information in question. The Commission had in the meanwhile disposed of the petitioner's second appeal. The petitioner herein has sought for information in respect of the following eight aspects:-

"1.Proceedings of the Joint Director of Collegiate



Education which approved the appointments of 37 assistant professors of St.Xavier's College, Palayankottai as per the order Honourable Madras High Court Bench of Madurai in W.P.(MD)3804/2017 Dated:02nd June 2017 as cited under the reference.

2.Copy of the vacancy notification in the leading local and national details given calling for application for 37 assistant professors by the management of St.Xavier's College, before starting the recruitment process.

3.List of Applications received by the St.Xavier's College, for 37 assistant professors received by St.Xavier's College.

4.Copy of the interview intimation sent to the candidates along with the delivery proof (postal receipt or email proof)

5.Copy of the date and time of interview schedule to the 37 assistant professors appointed by St.Xavier's College, Palayankottai.

6.Attendances register copy of the candidates along with their signatures who appears for the interview.

7.Minutes of the selection committee, as per minority rights of the institution constituted by the management of St.Xavier's College.

The items Nos.2 to 7, the documents should be duly signed by the members of the managing committee of St.Xavier's College duly which should be by the Public Information Officer.

8.The complete proposal copies in respect of 37 assistant professors submitted by the Secretary of St.Xavier's College, Palayankottai to the Regional Joint Director of Collegiate Education, Tirunelveli as per the ref cited."

4.Though the Commission had stated that the second respondent should furnish the information in respect of first item and that the college management should furnish the information in respect of the remaining seven items, I am of the view that the Regional Joint Director of Collegiate Education, Tirunelveli, can himself furnish the information as regards the items Nos.1, 2 and 8. The second respondent is directed to strictly comply with this direction. The information in respect of the aforesaid three items shall be furnished within a week from the date of receipt of a copy of this order. The learned Special Government Pleader is directed to communicate this order to the Secretary, Higher Education Department, Fort St.George, Secretariat, Chennai - 600 009, who shall ensure that the direction of this Court is complied with in letter and spirit.



5.The writ petition is disposed of with the aforesaid directions. No costs.

Sd/-

Assistant Registrar (CS-III)

WEB COPY

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

The Regional Joint Director of Collegiate Education,
Tirunelveli.

Copy to:

The Secretary,
Higher Education Department,
Fort St.George,
Secretariat,
Chennai - 600 009.

+1 CC to M/s.K.K. SENTHIL, Advocate (SR-16576[F] dated 11/09/2020)

W.P. (MD) No.10695 of 2020

09.09.2020

AP(16/09/2020) 3P 4C