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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.19420 & 19426 of 2021

(Through Video Conferencing)

1.C.Meenakshi ...Petitioner in W.P.No.19420 of 2021
2.S.Syed Abuthahir ...Petitioner in W.P.No.19426 of 2021

Vs

1. The Director of Collegiate Education,
College Road,
Chennai - 600 006.
2. The Joint Director of Collegiate Education,
Madurai Region,
Madurai - 625 002. ...Respondents 1 and 2 in both W.Ps.
3. The Secretary,
Sree Sevugan Annamalai College,
Devakottai. ...3rd Respondent in W.P.No.19420 of 2021
4. The Secretary,
Dr.Zakir Husain College,
Ilyangudi. ...Respondent/R3 in W.P.No.19426 of 2021

Prayer in W.P.No.19420 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, direct the 1st respondent herein to approve the petitioner's promotion as Junior Assistant in the 3rd respondent college, in the promotion vacancy of Mr. V. Kalimuthu with effect from 01.04.2012 in the light of approval given by the 1st respondent to the similarly placed person Mr.K.Angamuthu vide his proceedings Na.Ka.No.4396/G4/2018 dated 08.07.2021 based on the order passed by this Hon'ble Court in W.P.(MD)No.12783 of 2017 dated 19.12.2018 in W.A.No.9 of 2020 on 25.03.2021 and all other benefits based on the representation given by the petitioner dated 17.07.2021.



Prayer in W.P.No.19426 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 1st respondent herein to approve the petitioner's promotion as Junior Assistant in the 3rd respondent college, in the promotion vacancy of Mr. K.E.K.Naina Mohamed with effect from 02.08.2021 in the light of approval given by the 1st respondent to the similarly placed person Mr.K.Angamuthu vide his proceedings Na.Ka.No.4396/G4/2018 dated 08.07.2021 based on the order passed by this Hon'ble Court in W.P.(MD)No.12783 of 2017 dated 19.12.2018 in W.A.No.9 of 2020 on 25.03.2021 and all other benefits based on the representation given by the petitioner dated 16.08.2021.

For Petitioner : Mr.E.Martin Jayakumar
(in both W.ps)

For Respondents: Mr.L.S.M.Hasan Fizal
R1 to R3 Government Advocate
(in both W.Ps)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents. It is the case of the petitioner that the petitioner was appointed as a Lab Assistant in the year 2007 and thereafter promoted as a Junior Assistant on 01.04.2012.

2.The learned counsel for the petitioner submits that under similar circumstances, by an order dated 19.12.2018, a writ petition filed by one Mr.G.Angamuthu was allowed by holding that the respondents shall promote the petitioner therein i.e, Mr.G.Angamuthu as a Junior Assistant with effect from the date of his promotion within a period of four weeks from the date of receipt of a copy of the said order.

3.It is submitted that the said order was appealed before the Hon'ble Division Bench the appeal was also dismissed by the Hon'ble Division Bench of Madurai Bench of the Madras High Court vide an order dated 25.03.2021 in W.A.Nos.114 and 9 of 2020. The case of the petitioner is that the petitioner has sent representation to the 2nd respondent which not evoked any positive response.

4.Considering the above, these writ petitions are disposed by directing the 2nd respondent to consider the representation of the petitioner and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. While passing such orders, the respondent may duly consider the



decisions rendered in the W.P.(MD).No.12783 of 2017 as affirmed by the Hon'ble Division Bench of Madurai High Court in W.A.(MD). No.114 and 9 of 2020 dated 25.03.2021. No costs.

Sd/-

Assistant Registrar(CO)

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//True Copy//

Sub Assistant Registrar

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To

1. The Director of Collegiate Education,
College Road,
Chennai - 600 006.
2. The Joint Director of Collegiate Education,
Madurai Region,
Madurai - 625 002.

+1cc to the Government Pleader, S.R.No.47527

W.P.Nos.19420 & 19426 of 2021

VG-II(CO)

CB(10/11/2021)