



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.4735 of 2021

and

W.M.P (MD) No.3848 of 2021

J.Sandhya

...Petitioner

Vs.

- 1.The Director,
Collegiate Education,
O/o. The Collegiate Education,
Chennai.
- 2.The Joint Director,
O/o. The Collegiate Education,
Tirunelveli Region,
Palayamkottai,
Tirunelveli.
- 3.The Commissioner,
Hindu Religious and Charitable
Endowment Board,
Nungambakkam Road,
Chennai.
- 4.The Joint Commissioner/ Executive Officer,
Hindu Religious and Charitable
Endowment Board,
Susindram,
Kanyakumari District.
- 5.The Principal,
Sri Devikumari Womens's College,
Kulithurai-629 163,
Kanyakumari-District.
- 6.The Secretary,
College Committee,
Head Office of the College Secretary,
Sri Devikumari Women's College,
Kulithurai at Susindram,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the sixth respondent to fill one post of Junior Assistant Post in the vacant and permitted as per the order vide Na.Ka.No.23888/G3/2019 dated 12.01.2021, by transferring this petitioner from Lab Assistant Post



to Junior Assistant Post before filling the vacancies as per the order.

For Petitioner : Mr.F.X.Eugene
For R-1 and R-2 : Mrs.J.Padmavathi Devi
Special Government Pleader
For R-3 : Mr.K.P.Narayanakumar
Special Government Pleader
For R-4 to R-6 : Mr.K.Sathiyasingh
Additional Government Pleader

WEB COPY

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The prayer in the present writ petition seeking for a direction to the sixth respondent to fill the post of Junior Assistant by transferring the petitioner from Lab Assistant post is the same consequential prayer in W.P(MD) No.9949 of 2017, which is pending before this Court.

3.When a similar prayer in the writ petition filed by the petitioner is pending, the prayer in the present writ petition is barred. It is needless to point out whatever the grounds that the petitioner has raised in the present writ petition, could be raised by her in the earlier writ petition in W.P(MD) No.9949 of 2017. As such, this Writ Petition is liable to be rejected on the principle of *res judicata*.

4.Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

1.The Director,
Collegiate Education,
O/o. The Collegiate Education,
Chennai.

2.The Joint Director,
O/o. The Collegiate Education,
Tirunelveli Region,
Palayamkottai,
Tirunelveli.

3.The Commissioner,
Hindu Religious and Charitable
Endowment Board,
Nungambakkam Road,
Chennai.

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-9555[F] dated 09/03/2021)

+1 CC to M/s.F.X.EUGENE, Advocate (SR-9539[F] dated 09/03/2021)

+1 CC to M/s.SPL GP (SR-10193[F] dated 10/03/2021)

W.P. (MD) No.4735 of 2021
08.03.2021

PK(CO)
KB(31.03.2021) 3P 7C