



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No. 16782 of 2021

Dr.N.Sukumaran

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Higher Education Department,
Fort St. George,
Chennai - 600 009.
- 2.The Director of Collegiate Education,
EVK Sampath Building,
9th Floor, College Road,
Chennai - 600 006.
- 3.The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli - 627 003.
- 4.The Principal,
Government Arts and Science College,
Sankarankovil,
Thenkasi District.

...Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to consider and pass orders on the petitioner's representation dated 17.04.2021 to revoke the order of the second respondent in ந.க.எண் 2840/192/2021-11, dated Nil.02.2021 more particularly within a time frame as may be stipulated by this Court.

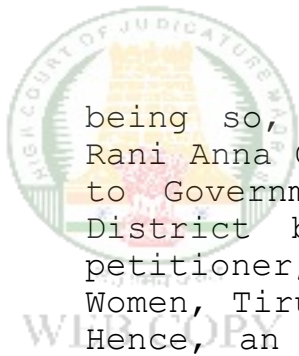
For Petitioner : Mr.Pooventhera Rajan
For Respondents : Mr.A.K.Manikkam
Standing Counsel for State.

O R D E R

Mr.A.K.Manikkam, learned Standing Counsel for State takes notice for respondents.

2. By consent, this Writ Petition is taken up for final disposal.

3. The case of the petitioner is that originally, the petitioner was appointed as Lecturer in the Annamalai University. Thereafter, the petitioner was appointed as Assistant Professor in Rani Anna Government Arts College for Women, Tirunelveli. While



being so, the second respondent transferring the petitioner from Rani Anna Government Arts and Science College for Women, Tirunelveli to Government Arts and Science College, Sankarankovil, Thenkasi District by way of alternative employment. According to the petitioner, he was employed in Rani Anna Government Arts College for Women, Tirunelveli under deputation basis from Annamalai University. Hence, an employee under deputation has to be revert back to his parent department on completion of his deputation period. Hence, the order of the second respondent dated Nil.02.2021 transferring the petitioner from Rani Anna Government Arts College for Women, Tirunelveli to Government Arts and Science College, Sankarankovil is illegal and unlawful. Hence, the petitioner made a representation on 17.04.2021 seeking to revoke the impugned order. Since, the same was not considered, the petitioner has filed this Writ Petition.

4. The learned Standing Counsel appearing for the respondents would submit that the representation of the petitioner will be considered at the earliest.

5. Considering the facts and circumstances of the case, this Court, without expressing any opinion on merits, directs the second respondent to consider the representation of the petitioner dated 17.04.2021, on its own merits and in accordance with law, as expeditiously as possible, preferably, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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 Principal Secretary to Government,
Higher Education Department,
Fort St. George,
Chennai - 600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Director of Collegiate Education,
EVK Sampath Building,
9th Floor, College Road,
Chennai - 600 006.

3.The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli - 627 003.

4.The Principal,
Government Arts and Science College,
Sankarankovil,
Thenkasi District.

+1 CC to M/s.SPL. GP (SR-29564[F] dated 20/09/2021)

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