



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.17345 of 2018

and

W.M.P (MD) No.15250 of 2018

WEB COPY

The Secretary,
Sadakathullah Appa College (Autonomous),
Rahmath Nagar,
Tirunelveli - 627 006,
Tirunelveli District.

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Higher Education,
Fort St. George, Chennai - 600 009.

2.The Director of Collegiate Education,
College Road, Chennai - 600 006.

3.Regional Joint Director of Collegiate Education,
18, Tiruchendur Road, Murugan Kurichy,
Tirunelveli - 627 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent Joint Director to approve forthwith the appointment of 16 Assistant Professors in the petitioner-college and disburse the grant-in-aid towards their salary and allowances w.e.f. The date of their appointment i.e., 18.09.2017.

For Petitioner : Mr.P.Muthuvel for
M/s.Isaac Chambers

For Respondents : Mr.VPM.Vaishnavi
Government Advocate

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

2.The petitioner is aggrieved against the inaction on the part of the third respondent in considering their proposal for approval of 16 Assistant Professors in their college. According to the



petitioner, all the posts of 16 Assistant Professors are sanctioned posts and their proposal, dated 26.03.2018, is still pending before the third respondent.

3.Mrs.V.P.M.Vaishnavi, learned Government Advocate, appearing for the respondents would submit that the third respondent had acted upon the petitioner's proposal and forwarded the same to the second respondent, on 12.04.2018, where, it is still pending. This court is of the view that the decision as to whether the approval can be accorded or not requires to be taken by the statutory authorities. This Court does not intend to step into the shoes of the statutory authorities for granting approval.

4.Nevertheless, if a direction is given to the Authorities to consider the petitioner's proposal, within a stipulated time, the ends of justice could be secured.

5.In the light of the above observations, there shall be a direction to the second and third respondents to consider the petitioner's proposal, dated 26.03.2018 and take necessary course of action, atleast within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Secretary to Govt. of Tamil Nadu,
Department of Higher Education,
Fort St. George, Chennai - 600 009.



2.The Director of Collegiate Education,
College Road, Chennai - 600 006.

3.Regional Joint Director of Collegiate Education,
18, Tiruchendur Road, Murugan Kurichy,
Tirunelveli - 627 002.

+1 CC to M/s.ISAAC CHAMBERS, Advocate SR-12092[F] dated 18/03/2021

W.P. (MD) No.17345 of 2018
17.03.2021

NS (CO)

TR(29.03.2021) 3P 5C