



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.02.2022
CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No. 2492 of 2022

Sri G.V.G. Visalakshi College for Women,
Rep by its Secretary, Sumathi Krishnaprasad,
W/o. BVVS Krsihanaprasad,
A-16, Soundararaja Krishnamurthy Street,
Gandinagar, Udumalpet-642154

..Petitioner

Vs

1. The Director of Collegiate Education
College Road,
Chennai-600006.

2.The Regional Joint Director Collegiate Education,
Coimbatore Region,
Coimbatore - 641018.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to permit the petitioner college to fill up the sanctioned posts of 10 non teaching staffs viz. Waterman -1 Watchman -2 Scavenger-1 Sweeper -4 Gardener-1 and marker -1 in the sanctioned vacancies in petitioners college in the light of the order of this Honble Court made in W.P.(MD) No. 1234 of 2014 dated 24.02.2015 in W.A. (MD) No. 931 of 2018 dated 12.07.2018 which has been confirmed the Honbel Apex Court in SLP. No. 323 of 2019 dated 18.01.2019 by considering the proposal / Representation given by the petitioner college dated 07.12.2021 and the Recommendation sent by the 2nd Respondent vide proceedings Na.Ka.No. 6577 / E3 / 2021 and 6578 / E3 / 2021 dated 28.12.2021 and to approve the said appointments.

For Petitioner	: Mr. Selvi George
	For R.martin Jaya Kumar
For Respondents	: Mr.V.Veluchamy, AGP
	For R1 & R2



O R D E R

By consent of the learned counsels appearing on either side, the writ petition is taken up for final disposal.

WEB COPY

2. The learned counsel for the petitioner submitted that the petitioner college has sent representation to the respondents on 07.02.2021 seeking prior permission and approval to fill up the post of 10 non teaching posts, but the respondent has not chosen to consider to fill up the said vacancies caused due to the retirement of erstwhile employees, therefore seeks directions to the respondents to consider the representation and pass appropriate orders.

3. The learned counsel for the petitioner has submitted that the Hon'ble Division Bench of this Court in W.A.No. 2096 and 2124 of 2019 in the case of State of Tamil Nadu & others Vs. The Secretary, Nirmala College for Women, Coimabatore has considered the similar issue and passed orders. It is the contention of the learned counsel for the petitioner-college that in the light of the judgemnet of the Hon'ble Division Bench of this Court cited supra, the respondents can pass orders, permitting the petitioner to fill up the vacancies of the above said non teaching staff.

4. The learned Additional Government Pleader has submitted that the above judgment of the Hon'ble Division Bench of this Court will not apply to the facts of the present case on hand and further submitted that the petitioner-College has submitted application to the Director of College Education, but the appropriate authority to consider the said application is the Joint Director of Collegiate Education.

5. In view of the order passed by the Hon'ble Division of this Court cited supra and considering the fact that the petitioner-College has made representation only for the grant of prior permission to fill up the above said posts, it would be appropriate to give directions to the Regional Joint Director of Collegiate Education, Coimbatore/3rd respondent to pass appropriate orders;

6. Accordingly, the Regional Joint Director of Collegiate Education, Coimbatore/2nd respondent herein is directed to consider the petitioner's representation dated 07.12.2021 and pass orders, in accordance with the prevailing rules, as expeditiously as possible, within a period of twelve (12) weeks from the date of receipt of a copy of this Order.



7. With the above directions, the writ petition is disposed of. No costs.

WEB COPY

//True Copy//

Sd/-
Assistant Registrar(CCC)

Sub Assistant Registrar

ak
To

1. The Director of Collegiate Education
College Road,
Chennai-600006.
- 2.The Regional Joint Director Collegiate Education,
Coimbatore Region,
Coimbatore - 641018.

+1 cc to Mr.R.martin Jaya Kumar, Advocate Sr.NO. 10122
+1 cc to Government Pleader Sr.NO. 9892

W.P.No.2492 of 2022

PCH(CO)
A.SK(04/03/2022)