



WEB COPY



Order dated 19.10.2022
in W.P.No.28049 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.10.2022

Coram:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.28049 of 2022

--

Mr.T.Senthil Selvan

.. Petitioner

Vs.

1. The Director of Collegiate Education,
I.A.S.E. Campus,
577, Anna Salai,
Saidapet, Chennai-600 015.
2. The Regional Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli.
3. The Secretary/Correspondent,
Scott Christian College,
Nagercoil.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent herein to approve the petitioner's appointment as Office Assistant in the third respondent/College in the sanctioned vacancy caused by the promotion of Mrs.M.Prema Latha with effect from 13.10.2016 in the light of the approval given by the first respondent to similarly placed persons, vide proceedings in Na.Ka.No.14222/F2/2020, dated 26.04.2021 with monetary and all other

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attendant and service benefits based on the representation given by the petitioner dated 07.06.2021.

For petitioner : Mr.E.Martin Jayakumar

For respondents: Mr.V.Manoharan, Spl.G.P..

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus to direct the first respondent to approve the appointment of the petitioner as an Office Assistant in the third respondent/College in the sanctioned vacancy caused by promotion of Mrs.M.Prema Latha with effect from 13.10.2016.

2. The petitioner is working in the third respondent/College as an Office Assistant. According to him, due to promotion of the said Prema Latha with effect from 13.10.2016, he is now eligible to be appointed as an Office Assistant and is entitled to get the Government salary. In this regard, the petitioner has given a representation dated 07.06.2021 to the respondents seeking approval of his appointment as an Office Assistant in the third respondent/College. The said representation has not been considered till date. The third respondent/College has also submitted a proposal on 07.09.2022 to the second respondent seeking for approval of appointment of the petitioner to the post of Office Assistant. The

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second respondent, based on the proposal received from the third respondent, has also forwarded the recommendation to the first respondent for consideration.

No prejudice would be caused to the respondents, if a direction is issued to the first respondent to pass final orders on the proposal dated 07.09.2022 submitted by the third respondent, on merits and in accordance with law, within a time frame to be fixed by this Court.

3. For the reasons stated above, this Court directs the first respondent to pass final orders on the third respondent's proposal dated 07.09.2022 seeking for approval of the appointment of the petitioner as an Office Assistant in the third respondent/College, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

4. With the aforesaid observations and directions, the Writ Petition is disposed of. There shall be no order as to costs.

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Speaking Order: Yes/no

CS

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To

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ABDUL QUDDHOSE, J

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