



WEB COPY



W.P.No.29188 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.29188 of 2022

M.Hari Hara Guhan

... Petitioner

Versus

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,
Tiruchirapalli Region, Tiruchirapalli.

3. The Secretary,
National College, Tiruchirapalli

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus directing the first respondent to approve the petitioner's appointment as Record Clerk in the 3rd respondent College in the sanctioned vacancy caused by the Promotion of M.Sivanandam with effect from 19.03.2018 to 08.07.2021 in the light of the approval given by the 1st respondent to similarly placed non-teaching staff vide proceedings Na.Ka.No.14511/F2/2021 dated 09.08.2021 in W.P.(MD) No.6155 of 2021 dated 18.03.2021 with monetary and all other attendant and service benefits based on the representation of the petitioner dated 07.06.2022.



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For Petitioner : Mr.E.Martin Jayakumar
For Respondents : Mr.V.Manoharan
AGP
For R.1 and R.2
R.3 -Dispensed with

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to approve the petitioner's appointment as Record Clerk in the third respondent college based on his representation dated 07.06.2022 within a time frame to be fixed by this Court.

2. The petitioner claims that the third respondent has already sent a proposal to the second respondent seeking for approval of the petitioner being appointed as Record clerk in their College. Based on the proposal sent by the third respondent, the second respondent has also forwarded the said proposal to the first respondent on 27.10.2022. Since the petitioner's appointment by the third respondent is yet to be approved by the first respondent, the petitioner has filed this writ petition.

3. Heard Mr.E.Martin Jayakumar, learned counsel for the petitioner and Mr.V.Manoharan, learned Additional Government Pleader accepts notice on behalf of the respondents 1 and 2. Since no adverse orders are passed against the third respondent, notice to the third respondent is dispensed with.



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4. No prejudice would be caused to the respondents if the first respondent is directed to pass final orders on the third respondent's proposal seeking approval for the appointment of the petitioner as Record Clerk in the third respondent's college within a time frame to be fixed by this Court,

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on the third respondent's proposal dated 07.10.2022 seeking for approval for appointment of the petitioner as Record Clerk in their college on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

With the aforesaid direction, the writ petition is disposed of. No costs.

03.11.2022

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sr

Index: Yes/No

Speaking Order/Non-Speaking Order



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ABDUL QUDDHOSE,J.

sr

To

1. The Director of Collegiate Education,
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577, Anna Salai, Saidapet,
Chennai-600 015.
2. The Regional Joint Director of Collegiate Education,
Tiruchirapalli Region, Tiruchirapalli.
3. The Secretary,
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