



WEB COPY



W.P.No.31626 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2022

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THE HONOURABLE Mr. JUSTICE ABDUL QUDDHOSE

W.P.No.31626 of 2022

National College
Rep. by its Secretary
Mr.K.Raghunathan
S/o.Dr.R.Kalamegham
No.7, Viswanathapuram
Tennur, Trichy - 17.

.. Petitioner

Vs.

1.The Director of Collegiate Education
Saidapet
Chennai - 600 015.

2.The Regional Joint Director of Collegiate Education
Tiruchirapalli Region
Tiruchirapalli.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to permit the petitioner college to fill up the sanctioned posts of non-teaching staffs viz., Junior Assistant - 4, Typist - 1, Store Keeper - 1, Lab Assistant - 18, Library Assistant - 1, Record Clerk - 2, Office Assistant - 7, Watchman - 2, Waterman - 2, Sweeper - 5, Scavenger - 2, Gardener - 2 and Marker -1 in the sanctioned vacancies in petitioner's College, in the light of the order of this 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



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been confirmed by the Hon'ble Apex Court in SLP.No.323 of 2019 dated 18.01.2019 by considering the proposal / representation given by the petitioner college dated 27.07.2022 and to approve the said appointments.

For Petitioner : Mr.E.Martin Jaya Kumar

For Respondents : Mr.V.Manoharan
Additional Government Pleader

ORDER

This Writ Petition has been filed by the petitioner/College seeking to fill up the sanctioned post of non-teaching staffs viz., Junior Assistant - 4, Typist - 1, Store Keeper - 1, Lab Assistant - 18, Library Assistant - 1, Record Clerk - 2, Office Assistant - 7, Watchman - 2, Waterman - 2, Sweeper - 5, Scavenger - 2, Gardener - 2 and Marker -1 in their College. The petitioner has submitted a representation on 27.07.2022 for the aforementioned purpose. According to the petitioner, the second respondent has also forwarded its recommendation to the first respondent for consideration. The representation of the petitioner, dated 27.07.2022 seeking to fill up the aforementioned posts, has not yet been considered till date. In such circumstances, the petitioner/College has filed the present Writ Petition. The petitioner also relies upon the order passed in W.P.(MD).No.1234 of 2014, dated 24.02.2015 and also



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W.A.(MD).No.931 of 2018, dated 12.07.2018, which has been confirmed by the Honourable Apex Court in S.L.P.No.323 of 2019, dated 18.01.2019 for substantiating the relief sought for in their representation, dated 27.07.2022. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

2. For the foregoing reasons, this Court directs the first respondent to pass final orders on the second respondent's proposal, which was submitted to the first respondent, based on the petitioner's representation, dated 27.07.2022 seeking to fill up the said posts of non-teaching staff, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. While considering the said representation of the petitioner, the first respondent shall also consider the aforementioned decisions of this Court and of the Honourable Supreme Court relied upon by the learned counsel for the petitioner and decide as to whether the same is applicable to the case of the petitioner/College or not.



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3. With the aforesaid directions, the Writ Petition is disposed

of. There shall be no order as to costs.

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Speaking Order/Non-speaking Order

Index : Yes / No

ds

To:

1.The Director of Collegiate Education

Saidapet

Chennai - 600 015.

2.The Regional Joint Director of Collegiate Education

Tiruchirapalli Region

Tiruchirapalli.



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ABDUL QUDDHOSE.J.,

ds

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