



WEB COPY



W.P.No.32559 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.12.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.32559 of 2022

Sri-La-Sri Kasivasi

Swaminatha Swamigal Arts College,
Rep. by its Secretary,
Dr.B. Baskaran,
29, South Street,
Thiruppanandal,
Thanjavur – 612 504.

.. 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,
Thanjavur Region,
Thanjavur – 5.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing 1st respondent to permit the petitioner college to fill up the sanctioned posts of non-teaching staffs viz., Typist – 1, Record Clerk – 1, Office Assistant – 1 and Watchman – 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



W.P.No.32559 of 2022

24.02.2015 in W.A.(MD).No.931 of 2018 dated 12.07.2018 which has been confirmed 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 15.09.2022 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 four non-teaching staffs, namely Typist – 1, Record Clerk – 1, Office Assistant – 1 and Watchman – 1 in their College.

2. Heard Mr.E. Martin Jaya Kumar, learned counsel for the petitioner. Mr.V. Manoharan, learned Additional Government Pleader, accepts notice on behalf of the respondents. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner has submitted a representation on 15.09.2022 for the aforementioned purpose. According to the petitioner, the second respondent has also forwarded the recommendation to the first respondent



W.P.No.32559 of 2022

for consideration. The representation of the petitioner dated 15.09.2022, 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.

4. The petitioner also relies upon the order passed by this Court in W.P.(MD).No.1234 of 2014, dated 24.02.2015 and W.A.(MD).No.931 of 2018, dated 12.07.2018, which has been confirmed by the Honorable Apex Court in S.L.P.No.323 of 2019, dated 18.01.2019, for substantiating the relief sought for in their representation, dated 15.09.2022.

5. 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.

6. 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 15.09.2022, seeking to fill up the said four posts of non-teaching staffs,



W.P.No.32559 of 2022

within a period of twelve (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 the Honorable Supreme Court, relied on 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.

7. With the aforesaid observations and directions, this Writ Petition stands disposed of. No costs.

02.12.2022

Speaking/Non-speaking order
Index: Yes/No
Internet: Yes/No

Sni



W.P.No.32559 of 2022

To

WEB COPY

- 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,
Thanjavur Region,
Thanjavur – 5.



WEB COPY



W.P.No.32559 of 2022

ABDUL QUDDHOSE,J.

Sni

W.P.No.32559 of 2022

02.12.2022