



W.P. No.34361 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 23.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.34361 of 2022

Saraswathy Narayanan College,
rep. by its Secretary
T.Narayanan

... Petitioner

Vs.

1.The Director of Collegiate Education,
Saidapet,
Chennai – 600 015.

2.The Regional Joint Director of
Collegiate Education,
Madurai Region,
Madurai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to consider the proposal sent by the petitioner college dated 10.03.2022 for seeking sanction of two revival posts in English Department and one revival post in Commerce Department in the light of the approval given by the first respondent to the similar college for 2 revival posts in the department of Tamil and English vide proceedings Na.Ka.No.38801/G4/2018 dated 23.11.2018, within a time to be stipulated by this Court.



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For petitioner : Mr.A.V.Bharathi

For respondents : Mr.Stalin Abimanyu,
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2.This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the proposal sent by the petitioner college dated 10.03.2022 for seeking sanction of two revival posts in English Department and one revival post in Commerce Department in the light of the approval given by the first respondent to a similar college for two revival posts in the department of Tamil and English vide proceedings Na.Ka.No.38801/G4/2018 dated 23.11.2018, within a time frame to be stipulated by this Court.

3.The petitioner College seeks for revival of the two sanctioned posts in English Department and one in the Commerce Department. According to the petitioner, a similarly placed college was also granted approval with regard to their requests for revival of the sanctioned posts in the department of Tamil and English by proceedings of the first



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respondent dated 23.11.2018. The petitioner claims that they are also similarly placed and therefore, their request for revival of the two sanctioned posts in their English Department as well as one sanctioned post in their Commerce Department will have to be approved by the respondents. The petitioner has sent a proposal on 10.03.2022 to the first respondent requesting them to sanction revival of two posts in English Department and one post in Commerce Department. Since the proposal has not been considered till date, they have filed this writ petition.

4.Heard Mr.A.V.Bharathi, learned counsel for the petitioner and Mr.Stalin Abimanyu, learned Additional Government Pleader, who accepts notice for the respondents.

5.The petitioner has filed documents along with this writ petition including the order dated 05.10.2018 passed by this Court in W.P. No.26443 of 2018 passed in favour of another College. The petitioner claims that they are similarly placed.

6.No prejudice would be caused to the respondents if the



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petitioner's proposal dated 10.03.2022 seeking to revive the two sanctioned posts in English Department and one in Commerce Department, is considered, on merits and in accordance with law, within a time frame to be fixed by this Court.

7.This Court is not expressing any opinion on the merits of the claim. It is for the respondents to consider the same, on merits and in accordance with law.

8.For the foregoing reasons, this Court directs the first respondent to pass final orders, on merits and in accordance with law on the petitioner's proposal dated 10.03.2022 seeking for revival of the two sanctioned posts in their English Department and one sanctioned post in their Commerce Department, within a period of twelve weeks from the date of receipt of a copy of this order.



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9. With the aforesaid direction, the writ petition stands disposed of.

No costs.

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Index: Yes/No

vga

To

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ABDUL QUDDHOSE, J.

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