



W.P.(MD)No.2040 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.2040 of 2023

R.Sundararaman

... Petitioner

Vs.

1.The Director of Collegiate Education,
577, Anna Salai,
Saidapet,
Chennai - 600 015.

2.The Regional Joint Director of Collegiate Education,
Trichy - 620 023.

3.The Secretary,
National College (Autonomous),
Dindigul Road,
Karumandapam,
Trichy - 620001.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the third respondent to permit the petitioner to continue as a Principal up to 30.04.2023 as per the order passed by the first respondent, dated 07.09.2022 and the order passed by the second respondent, dated 14.12.2022 with all consequential benefits.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.J.Ashok, - for R1 & R2
Additional Government Pleader

ORDER

This writ petition has been filed to direct the third respondent to permit the petitioner to continue as a Principal up to 30.04.2023 as per the order passed by the first respondent, dated 07.09.2022 and the order passed by the second respondent, dated 14.12.2022 with all consequential benefits.

2. The learned counsel appearing for the petitioner submitted that the petitioner was appointed as a lecturer on 04.07.1996 and promoted as a



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Reader. The post of Reader was re-designated as Associate Professor. Thereafter, he continued as an Associate Professor. While-so, he was promoted as a H.O.D in June 2017. Thereafter, the petitioner was selected and promoted as Principal on 09.08.2017. Subsequently, he reached the age of superannuation in the middle of the academic year and he made a request for reemployment till the end of the academic year i.e., upto 30.04.2023. However, the College Management refused to accept the same by citing the regulations, against which, the petitioner made an appeal before the Joint Director of Collegiate Education and the first respondent passed an order approving his reemployment, permitting him to continue as a Principal till 30.04.2023. The approval order, dated 07.09.2022 was communicated to the petitioner by the second respondent on 20.09.2022. In the meanwhile, the the third respondent issued a proceedings on 10.08.2022 and as per the U.G.C. norms the petitioner may not continue as a Principal after 5 years, and given in-charge to one K.Kumar, as interim Principal. Again, the petitioner made an appeal before the second respondent and again an approval order was passed on 14.12.2022 permitting the petitioner to continue as Principal as per the approval order granted by the first



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respondent, dated 07.09.2022. However, the said order was not implemented by the third respondent. Hence, the present writ petition is filed with the aforesaid prayer.

3. The learned counsel for the petitioner further submitted that this Court may issue a direction to the third respondent to implement the order, dated 07.09.2022 and consequential order, dated 14.12.2022 within a reasonable time as fixed by this Court.

4. Since no adverse order is going to be passed as against the third respondent, notice to the third respondent is dispensed with.

5. Considering the limited request made by the learned counsel for the petitioner, this Court directs the third respondent to implement the order of the respondents 1 and 2, dated 07.09.2022 and 14.12.2022, respectively, if there is no legal impediment to do so, within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above direction, this writ petition is disposed of. No costs.

02.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

RM

To

1.The Director of Collegiate Education,
577, Anna Salai,
Saidapet,
Chennai - 600 015.

2.The Regional Joint Director of Collegiate Education,
Trichy - 620 023.



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M.DHANDAPANI,J.

RM

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