



W.P.(MD)No.4041 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:03.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4041 of 2021
and W.M.P(MD).No.3251 of 2021

The Secretary,
St.Ignatius College of Education,
Palayamkottai-627 002,
Tirunelveli District.

... Petitioner

Vs.

1.The Director of Collegiate Education,
College Road, Chennai-600 006.

2.The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli-627 002.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent/Joint Director of Collegiate Education to approve forthwith the appointment of Dr.S.Josephine as Director of Physical Education in the petitioner's College and disburse the grant-in-aid towards her salary and allowances with effect from the date of her appointment viz., 01.08.2019.



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For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers
For Respondents : Mr.J.Ashok,
Additional Government Pleader

ORDER

This writ petition has been filed for a direction to the second respondent/Joint Director of Collegiate Education to approve forthwith the appointment of Dr.S.Josephine as Director of Physical Education in the petitioner's College and disburse the grant-in-aid towards her salary and allowances with effect from the date of her appointment viz., 01.08.2019.

2. The case of the petitioner is that in the petitioner College, the post of Director of Physical Education fell vacant on 01.08.2019 due to retirement of one C.R.Gladis Stellabai. Hence, the petitioner College appointed one S.Josephine as Director of Physical Education with effect from 01.08.2019. Thereafter, the petitioner College has submitted the proposal to the second respondent seeking to approve her appointment



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and disburse grant-in-aid towards her salary. However, no order has been passed by the second respondent. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if this Court permits the petitioner to send a fresh proposal to the second respondent and on receipt of the same, the second respondent may be directed to consider the same, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing for the respondents, has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, permits the petitioner to send a fresh proposal to the second respondent and on receipt of the same, the second respondent is directed to consider



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the same, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

03.02.2023

ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To:

- 1.The Director of Collegiate Education,
College Road, Chennai-600 006.
- 2.The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli-627 002.



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M.DHANDAPANI,J.

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