



W.P.(MD)No.6649 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.6649 of 2018

W.M.P(MD).Nos.6441 of 2018 and 9985 of 2019

C.Paul Raj

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep.by its Secretary,
Higher Education Department,
Fort St.George,
Chennai-600 009.
- 2.The Director of Collegiate Education,
College Road,
Chennai-600 006.
- 3.The Joint Director of Collegiate Education,
Tirunelveli Region,
Gandhi Nagar,
Tirunelveli-627 008.
- 4.Nesamony Memorial Christian College,
Marthandam,
Kanyakumari District,
Pincode:629165,
Represented by its Correspondent Secretary.



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5.M.Selvadhas

... Respondents

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Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the fourth respondent pertaining to the order in Ref.No.CCM/2017:807 dated 16.08.2017 and quash the same.

For Petitioner : Mr.K.N.Thampi

For Respondents : Mr.S.Saji Bino

Special Government Pleader
for R1 to R3

Mr.K.Ragatheeshkumar for R4

Mr.B.Brijesh Kishore for R5

ORDER

This Writ Petition has been filed to call for the records pertaining to the order in Ref.No.CCM/2017:807 passed by the fourth respondent College dated 16.08.2017 and quash the same.



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2. The learned counsel appearing for the petitioner would submit that the petitioner was appointed as Laboratory Assistant in non-teaching post on 14.08.2009 and the same was approved by the Joint Director of Collegiate Education. However, subsequently, the petitioner was degraded as Watchman in the promotion vacancy of Mr.P.Ravidhas with retrospective effect from the forenoon of 27.08.2003 and the scale of pay of the petitioner was modified, vide the impugned order dated 16.08.2017. Challenging the same, the present writ petition has been filed.

3. The learned counsel appearing for the fourth respondent College would submit that the post of the petitioner, namely, Laboratory Assistant as approved by the Joint Director of Collegiate Education with effect from 14.08.2009 and the pay scale given to the petitioner as Laboratory Assistant from the date of approval of the Joint Director of the Collegiate Education will not be disturbed.



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4. In view of the submission made by the learned counsel appearing for the fourth respondent College, this Writ Petition is disposed of with a direction to the fourth respondent College to allow the petitioner to work as Laboratory Assistant and pay the salary attached with that post of Laboratory Assistant. No costs. Consequently, connected miscellaneous petitions are closed.

14.02.2023

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



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To

1.The State of Tamil Nadu

Rep.by its Secretary,
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2.The Director of Collegiate Education,
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3.The Joint Director of Collegiate Education,
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M.DHANDAPANI,J.

ssb

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