



W.P.(MD)No.27239 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.27239 of 2022

and

W.M.P(MD)No.21376 of 2022

1.R.Rathi Devi
W/o.Sanjay Gandhi
Guest Lecturer (Department of Tamil),
Government Arts and Science College,
(Previously Known as Madurai Kamaraj University
Constituent College,)
Thirumangalam,
Madurai District.

2.S.Kalaiselvi
W/o.Jeevanantham,
Guest Lecturer (Librarian),
Government Arts and Science College,
(Previously Known as Madurai Kamaraj University
Constituent College,)
Thirumangalam,
Madurai District.

3.T.Jeyalakshmi
W/o.Muthuvairam,
Guest Lecturer (Mathematics),
Government Arts and Science College,
(Previously Known as Madurai Kamaraj University



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Constituent College,)
Thirumangalam,
Madurai District.

4.P.Sumathi
W/o.Ayyar,
Guest Lecturer (Tamil),
Government Arts and Science College,
(Previously Known as Madurai Kamaraj University
Constituent College,)
Thirumangalam,
Madurai District.

5.M.Thangakali
W/o.Rajesh Kannan,
Guest Lecturer (Librarian),
Government Arts and Science College,
(Previously Known as Madurai Kamaraj University
Constituent College,)
Thirumangalam,
Madurai District.

... Petitioners

Vs.

1.The State of Tamil Nadu
Represented by its Principal Secretary,
Department of Higher Education,
Fort St.George,
Chennai-600 009.

2.The Director of Collegiate Education,
DPI Campus,
College Road,
Chennai-600 006.



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3.The Regional Joint Director of Collegiate Education,
Madurai Region,
Madurai-625 002.

4.The Principal
Government Arts and Science College,
(Previously Known as Madurai Kamaraj University
Constituent College)
Thirumangalam,
Madurai District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, for a direction forbearing the respondents 2 to 4 from disengaging/ relieving the petitioners from the post of Guest Lecturer at the fourth respondent College till the post of Assistant Professors, Librarians are filled up through direct recruitment in the fourth respondent college.

For Petitioners : Mr.T.Aswin Rajasimman

For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

This writ petition has been filed forbearing the respondents 2 to 4 from disengaging/relieving the petitioners from the post of Guest



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Lecturer at the fourth respondent College till the posts of Assistant Professors, Librarians are filled up through direct recruitment in the fourth respondent college.

2. The case of the petitioners is that the petitioners were appointed in the post of Guest Lecturer at the fourth respondent College on temporary basis. The first petitioner rendered 7 years of service and the petitioners 2 to 5 rendered service for the past 5 to 10 years without any blemish. However, without regularizing the service of the petitioners, the official respondents are attempting to fill up the vacant posts by showing these vacancies in the upcoming general transfer counseling and if the posts are filled up in the general transfer counseling, they will be put into irreparable loss and hardship. Hence, the petitioners made representations dated 09.11.2022 and 11.11.2022 respectively to the respondents 2 to 4 and the same were not considered till date. Therefore, the petitioners have filed the present writ petition with the aforesaid prayer.



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3. The learned counsel appearing for the petitioners would submit that it would suffice, if the respondents 2 to 4 are directed to dispose of the representations of the petitioners, dated 09.11.2022 and 11.11.2022, on merits and in accordance with law, within a specified period.

4. The learned Government Advocate appearing for the official 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 petitioners, this Court, without going into the merits of the matter, directs the respondents 2 to 4 to consider the representation of the petitioners, dated 09.11.2022 and 11.11.2022 in the light of G.O(Ms) No. 183, Higher Education (G1) Department, dated 15.09.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve 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. Consequently, connected miscellaneous petition is closed.

08.02.2023

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

- 1.The Principal Secretary,
Department of Higher Education,
Fort St.George,
Chennai-600 009.
- 2.The Director of Collegiate Education,
DPI Campus,
College Road,
Chennai-600 006.
- 3.The Regional Joint Director of Collegiate Education,
Madurai Region,
Madurai-625 002.



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M.DHANDAPANI,J.

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