



W.P.No.10258 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.07.2024

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THE HONOURABLE Mrs. JUSTICE R.KALAIMATHI

W.P.No.10258 of 2012

and M.P.Nos.1 and 2 of 2012

James Peter

...Petitioner

vs.

1.The Government of Tamil Nadu
Represented by the Secretary to Government,
Department of Higher Education,
Fort St.George,
Chennai – 9.

2. The Director,
Directorate of Collegiate Education,
College Road, Chennai – 9.

3. The Joint Director,
Regional Office of the Collegiate Education,
Jamal Mohammed College Campus,
7, Race Course Road, Khaja Nagar,
Trichy.

4. The Secretary,
St.Joseph's College (Autonomous),
Teppakulam, Trichy – 2

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to



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permit the petitioner to work as Assistant Professor in English in the 4th respondent College without insisting the petitioner to complete the Tamil Language Test.

For Petitioner : No Appearance
For Respondents : Mr.S.Rajesh
Government Advocate for R1 to R3
: Ms.H.Mary Sowmi Rexi for R4

ORDER

There is no representation for the petitioner.

2. Heard Mr.S.Rajesh, learned Government Advocate appearing for the respondent 1 to 3 and Ms.H.Mary Sowmi Rexi, learned counsel appearing for the 4th respondent.

3. The petitioner Jams Peter, who was working as Assistant Professor (English) has filed this writ petition sought for direction to permit him to work as Assistant Professor in English in the 4th respondent College without insisting him to complete Tamil language test.



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4. Ms.H.Mary Sowmi Rexi, learned counsel appearing for the 4th respondent would submit that the petitioner gave an undertaking dated 25.09.2006 at the time of appointment to the Management that he will pass the Tamil language test conducted by the Tamil Nadu Public Service Commission during the period of probation. At a later point of time, when the proposal for his appointment was sent to the Joint Director of Collegiate Education, yet another undertaking was given by him on 16.10.2006. The petitioner's appointment was approved by the 3rd respondent namely the Joint Director of Collegiate Education, in Order No.5697/E1/2006 dated 26.12.2006 subject to the condition that during the period of probation period he should pass the Tamil language Test conducted by the Tamil Nadu Public Service Commission, and if he is not able to pass the said Test, he has to be discharged from the post after the probation period ends.

5. It is learned that he stopped coming to the College after 08.04.2009. He sent resignation letter dated 08.10.2009 and requesting to issue his service certificate, and the same was issued to him.

6. As the petitioner is no more working in the 4th respondent College, nothing survives for determination in the petition and this writ petition is



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dismissed as having become infructuous. There is no order as to costs.

Consequently, connected miscellaneous petition, if any stands closed.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

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To

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R.KALAIMATHI, J.

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