



W.M.P.(MD). No.4900 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction
Thursday, the Seventh day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
W.M.P.(MD). No.4900 of 2024
in
W.P.(MD).No. 10630 of 2021

A.Arul Raj

... Petitioner/ Petitioner

Vs

- 1 The State of Tamilnadu
Rep by its Secretary
Higher Education Department
Fort St.George Chennai - 600009.
- 2 The Director of Collegiate Education,
College Road, Chennai - 600006.
- 3 The Joint Director of Collegiate Education
Palayamkottai - 627002
Tirunelveli District
- 4 The Secretary
St.Xaviers College (Autonomous)
Palayamkottai - 627002
Tirunelveli District
- 5 A.Antony Raja
Laboratory Assistant
St.Xaviers College (Autonomous)
Palayamkottai - 627002
Tirunelveli District

... Respondents/ Respondents

WMP(MD). No.4900 of 2024:- This Petition is filed under Article 226 of the Constitution of India, praying this Court to modify the order made in W.P.(MD) No. 10630 of 2021 dated 16.06.2023 and pass such further or other orders as this Honble

<https://www.mhc.tn.gov.in/judis>



W.M.P.(MD). No.4900 of 2024

Court may deem fit and proper in the circumstances of the case and thus render justice.

WP(MD). 10630/ 2021 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 4th respondent in Ref.No.1G-4/NTS/LA/24/2020 dated 02-03-2020 and the consequential order passed by the 2nd respondent in his proceedings in Na.Ka.No.16864/F4/2020 dated 26-02-2021 in so far as the petitioner is concern and quash the same and direct the respondents to promote the petitioner as Labouratory Assistant from the date on which the 5th respondent was appointed i.e. on 02-03-2020 with all consequential benefits including pay and allowances and continuity of service in the promoted post and pass such further or other orders as may deem fit and thus render justice.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. V. Panneer Selvam, Advocate for the Petitioner, Mr. D. Gandhiraj, Special Government Pleader for the respondents 1 to 3 and Mr.P. Muthuvel, Advocate for the respondents 4 and 5, this Court made the following order:

The petitioner herein filed W.P(MD)No.10630 of 2021 seeking promotion as Lab Assistant. The writ petition was disposed of by me on 16.06.2023 directing the Management to appoint him as mechanic. Seeking modification of the said order, the present WMP has been filed.



W.M.P.(MD). No.4900 of 2024

2. Vacancy has arisen in the post of Lab Assistant with effect from 01.09.2023.

WEB COPY

The college Management has also appointed the petitioner as Lab Assistant with effect from the said date. Proposal has been submitted to the Department also. The earlier order stands modified and the third respondent is directed to approve the appointment of the petitioner as Lab Assistant with effect from 01.09.2023. He will be entitled to corresponding monetary benefits.

3. This writ Miscellaneous petition is allowed accordingly.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/04/2024

Sub Assistant Registrar
(CS-I / II / III / IV)

MGA

To

- 1 The Secretary,
Higher Education Department,
Fort St.George Chennai – 600009
- 2 The Director of Collegiate Education,
College Road, Chennai – 600006.



W.M.P.(MD). No.4900 of 2024

3 The Joint Director of Collegiate Education
Palayamkottai - 627002
Tirunelveli District.

+1. CC to M/S.ISSAC CHAMBERS, Advocate SR.No.10577

ORDER DATED : 07/03/2024

=====

ORDER

=====

W.M.P.(MD). No.4900 of 2024

in

W.P.(MD).No. 10630 of 2021

Giving direction and etc.

as stated within.

RD(08/04/2024) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.