



W.P.(MD)No.5930 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.5930 of 2024

E.Packiaraj Joseph

... Petitioner

vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Higher Education,
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, Tirunelveli District.

4.The Correspondent,
St.John's College, Palayamkottai,
Tirunelveli District - 627 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to approve forthwith the appointment of the petitioner with effect from the date of his appointment viz., 18.12.2017 and to disburse his salary with all attendant and other service benefits.



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For Petitioner : Mr.T.Cibichakraborty
For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R1 to R3
Mr.P.P.Alwin Balan for R4

ORDER

Heard Mr.T.Cibichakraborty, learned counsel for petitioner, Mr.M.Siddharthan, learned Additional Government Pleader for R1 to R3 and Mr.P.P.Alwin Balan, learned counsel for R4.

2. The petitioner has filed this writ petition seeking a direction to the respondents 1 to 3 to approve forthwith his appointment as Office Assistant in the fourth respondent College with effect from 18.12.2017 and to disburse his salary with all attendant and other service benefits.

3. The petitioner has been appointed as an Office Assistant in the fourth respondent College on 18.12.2017 in the vacancy that arose due to the retirement of S.Rajagopal, Office Assistant on 30.04.2012. Subsequently, the College has submitted a proposal in this regard to the third respondent and the third respondent vide proceedings dated



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23.12.2019 opined that the fourth respondent is entitled to fill up only one post of Office Assistant as per the Government Order in G.O.Ms.No.128, Finance Department, dated 21.02.2006 and one such person is already working in the fourth respondent College. Thereafter, the petitioner had made a representation to the Chief Minister Cell seeking to approve his appointment as Office Assistant. In pursuance thereof, the Joint Director of Collegiate Education (Finance) vide proceedings dated 23.08.2023 directed the third respondent herein to furnish all the records relating to the petitioner's appointment for consideration. Since the third respondent has not taken any further steps, the petitioner has filed this petition.

4. Since the third respondent has not furnished the records as sought for by the Joint Director of Collegiate Education (Finance), I feel it is appropriate to direct the third respondent to send all the relevant records within a stipulated time.

5. In view of the above observations, the writ petition is **disposed of** with a direction to the third respondent to send all relevant



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records with regard to the appointment of the petitioner as Office Assistant in the fourth respondent College to the Joint Director of Collegiate Education (Finance), Directorate of Collegiate Education within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the Joint Director of Collegiate Education (Finance) is directed to pass appropriate orders within a period of three weeks thereon. No costs.

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NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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To
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- 1.The Secretary,
Department of Higher Education,
Fort St.George,
Chennai - 600 009.
- 2.The Director of Collegiate Education,
College Road, Chennai - 600 006.
- 3.The Joint Director of Collegiate Education (Finance)
Directorate of Collegiate Education, Chennai.
- 4.The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli District.



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R.N.MANJULA, J.

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