



W.P.(MD)No.8885 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.8885 of 2024

Dr.D.Ahino Mary

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented 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 – 627 002.
- 4.The Correspondent cum Secretary,
Sarah Tucker College,
Tirunelveli – 627 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to approve the appointment of the petitioner as Assistant Professor in Botany in the fourth respondent College and sanction and disburse the grant in aid to the petitioner towards her salary and all other benefits w.e.f. 28.04.2023 in light of the proceedings issued by the second respondent in Na.Ka.No.44402/F4/2023 dated 18.01.2024 by considering the representation of the petitioner dated 25.01.2024.



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W.P.(MD)No.8885 of 2024

For Petitioner : Mr.T.Cibichakraborty

For R-1 to R-3 : Mr.M.Siddharthan
Additional Government Pleader

ORDER

Heard Mr.T.Cibichakraborty, learned counsel for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader for the respondents 1 to 3.

2. This Writ Petition has been filed seeking direction against the respondents 1 to 3 to approve the appointment of the petitioner as Assistant Professor in Botany in the fourth respondent College and sanction and disburse the grant in aid to the petitioner towards her salary and all other benefits w.e.f. 28.04.2023 in light of the proceedings issued by the second respondent in Na.Ka.No.44402/F4/2023 dated 18.01.2024, by considering the petitioner's representation dated 25.01.2024.

3. Mr.T.Cibichakraborty, learned counsel for the petitioner submitted that the petitioner has been appointed as Assistant Professor in Botany with effect from 28.04.2023 as against the alleged sanctioned post arouse due to the retirement of one Dr.Tmt.G.D.Nalini Marbel at the fourth respondent College.

Despite the proposal of the petitioner's appointment was sent to the third



W.P.(MD)No.8885 of 2024

respondent for approval, so far the approval has not been granted. Therefore, the petitioner has filed this Writ Petition seeking appropriate direction against the respondents 1 to 3.

4. When the matter was taken for hearing today, the learned counsel for the petitioner submitted that the proposal submitted to the third respondent has been returned stating certain facts. In such case, it is for the fourth respondent to comply with the same and offer explanation with relevant documents and resubmit the proposal to the third respondent. So it is up to the petitioner to make any representation before the fourth respondent in pursuant to the written instruction dated 02.04.2024 addressed to the fourth respondent and the fourth to re-submit the proposal to the third respondent, in order to enable the authorities to pass appropriate orders.

5. With the above direction, this Writ Petition is **disposed of**. No costs.

08.04.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



W.P.(MD)No.8885 of 2024

To:

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The State of Tamil Nadu,
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Chennai – 600 009.
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- 3.The Joint Director of Collegiate Education,
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W.P.(MD)No.8885 of 2024

R.N.MANJULA, J.

Nsr

W.P.(MD)No.8885 of 2024

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