



W.P.(MD).Nos.10631 and 10637 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).Nos.10631 and 10637 of 2021

and

W.M.P.(MD)Nos.8282, 8283, 8289 and 8290 of 2021

W.P.(MD)No.10631 of 2021

A.Ludgarde Packiam

...Petitioner

Vs.

- 1.The State of Tamilnadu,
Rep. by its Secretary,
Higher Education Department,
Fort St. George,
Chennai-600 009.
- 2.The Director of Collegiate Education,
College Road,
Chennai-600 006.
- 3.The Joint Director of Collegiate
Education,
Palayamkottai-627 002,
Tirunelveli District.
- 4.The Secretary,
St. Xavier's College (Autonomous),
Palayamkottai-627 002,
Tirunelveli District.



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5.A.John Peter Kennedy,
Record Clerk,
St.Xavier's College (Autonomous),
Palayamkottai-627 002,
Tirunelveli District.

... Respondents

Prayer : Writ Petition 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/NA/RC/18/2019 dated 01.06.2019 and the consequential order passed by the 2nd respondent in his proceedings in Na.Ka.No.16320/F4/2020 dated 23.02.2021 in so far as the petitioner is concerned and quash the same and direct the respondents to promote the petitioner as record clerk from the date on which the 5th respondent was appointed i.e., on 01.06.2019 with all consequential benefits including pay and allowances and continuity of service in the promoted post.

W.P.(MD)No.10637 of 2021

S.Maria Soosai Sirumani

...Petitioner

Vs.

1.The State of Tamilnadu,
Rep. by its Secretary,
Higher Education Department,
Fort St. George,
Chennai-600 009.



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

3.The Joint Director of Collegiate
Education,
Palayamkottai-627 002,
Tirunelveli District.

4.The Secretary,
St. Xavier's College (Autonomous),
Palayamkottai-627 002,
Tirunelveli District.

5.R.Raja
Laboratory Assistant,
St.Xavier's College (Autonomous),
Palayamkottai-627 002,
Tirunelveli District.

... Respondents

Prayer : Writ Petition 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/25/2020 dated 01.04.2020 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 concerned and quash the same and direct the respondents to promote the petitioner as Laboratory Assistant from the date on which the 5th respondent was appointed i.e., on 01.04.2020 with all consequential benefits including pay and allowances and continuity of service in the promoted post.



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In Both Writ Petitions:

For Petitioner	: Mr.V.Panneer Selvam
For R-1 to R-3	: Mr.D.Gandhiraj, Special Government Pleader
For R-4	: M/s. Issac Chambers

ORDER

W.P.(MD)No.10631 of 2021 has been filed challenging the order passed by the 4th respondent dated 01.06.2019 and the consequential order passed by the 2nd respondent dated 23.02.2021 and consequently directing the respondents to promote the petitioner as record clerk from the date on which the 5th respondent was appointed i.e., on 01.06.2019 with all consequential benefits including pay and allowances and continuity of service in the promoted post.

2. W.P.(MD)No.10637 of 2021 has been filed challenging the order passed by the 4th respondent dated 01.04.2020 and the consequential order passed by the 2nd respondent dated 26.02.2021 and consequently directing the respondents to promote the petitioner as Laboratory Assistant from the date on



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which the 5th respondent was appointed i.e., on 01.04.2020 with all consequential benefits including pay and allowances and continuity of service in the promoted post.

3. In the meanwhile, one vacancy of Lab Assistant had arisen due to the retirement of the then incumbent one M.Rayappan on attaining the age of superannuation on 31.05.2022. In that vacancy, the petitioner in W.P.(MD)No. 10631 of 2021 has been promoted as Lab Assistant on 01.09.2023. Similarly, another vacancy of Lab Assistant had arisen due to the retirement of the then incumbent one I.Anthonyraj on attaining the age of superannuation on 31.05.2023. In that vacancy, the petitioner in W.P.(MD)No.10637 of 2021 has been promoted as Lab Assistant on 01.09.2023. Consequently, the 5th respondent School has forwarded the proposals to the 3rd respondent on 04.09.2023 seeking to approve the aforesaid appointments and the same are pending before the 3rd respondent. In view of the same, the 3rd respondent is hereby directed to pass appropriate orders in accordance with law on those proposals within a period of four (4) weeks from the date of receipt of a copy of this order.



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4. Accordingly, these Writ Petitions are disposed of. No costs.
Consequently, connected miscellaneous petitions are closed.

30.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

- 1.The State of Tamilnadu,
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Higher Education Department,
Fort St. George,
Chennai-600 009.
- 2.The Director of Collegiate Education,
College Road,
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L.VICTORIA GOWRI, J.

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