



C.M.P.(MD) No.5806 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

C.M.P.(MD)No.5806 of 2021

and

W.A.(MD)SR.No.30203 of 2021

J.Sajikumar

... Petitioner

-Vs-

1.K.Ritz Kamal

2.The Registrar,
Manonmaniam Sundaranar University,
Abishekapatti-627 102,
Tirunelveli.

... Respondents

PRAYER in C.M.P.(MD)No.5806 of 2021: Petition filed under Section 151 of the Civil Procedure Code, praying this Court to grant leave to file the instance writ appeal W.A.(MD)SR.No.30203 of 2021.

PRAYER in W.A.(MD)SR.No.30203 of 2021: Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 08.04.2021 made in W.P.(MD)No.7656 of 2021.

For Petitioner : Mr.S.Rajasekar



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For R1 : Mr.T.Cibi Chakraborty
For R2 : Mr.Mahaboob Athiff

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

The petitioner is the third party to the writ petition. He has filed the present miscellaneous petition seeking leave of this Court to file writ appeal against the order made by this Court in W.P.(MD)No.7656 of 2021.

2.The learned counsel for the petitioner submits that the respondent college without issuing any paper publication has appointed one Mr.K.Ritz Kamal as Assistant Professor in the Department of Tamil. According to the petitioner, the said appointment is illegal and contrary to the Rules in force. Therefore, challenging the said appointment, the petitioner had preferred W.P.(MD)No.13211 of 2020. Pending the said writ petition, the first respondent has filed W.P.(MD)No.7656 of 2021, which came to be disposed of on 03.04.2021.

3.The learned counsel for the first respondent submitted that the writ petition filed by the petitioner herein was dismissed by order dated 17.10.2022. He has also produced a copy of the said order. He further submitted that the



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appointment of the first respondent was approved by the authorities competent with effect from 24.08.2020 by order dated 15.08.2021.

4.Admittedly, the writ petition filed by the petitioner challenging the order of appointment of the first respondent was dismissed vide order dated 17.10.2022. Though the petitioner has stated that he has preferred an appeal against the said order, no materials whatsoever had been produced before this Court to show that an appeal was filed challenging the order dated 17.10.2022. Further, the order of appointment of the first respondent was also approved by the competent authority.

5.For the reasons stated above, we are not inclined to entertain this petition. Accordingly, this Civil Miscellaneous Petition is dismissed. Consequently, connected W.A.(MD)SR.No.30203 of 2021 is rejected at SR stage itself.

[D.K.K., J.] & [R.V., J.]
31.01.2024

NCC : Yes / No
Index : Yes / No
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