



W.P.(MD).No.12774 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.12774 of 2024

Y.Hemalatha

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Principal 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,
Tirunelveli Region, Gandhi Nagar,
Tirunelveli - 627 008.
4. The Registrar,
Manonmaniam Sundaranar University,
Tirunelveli District.
5. St. Judes College,
Rep. by its Secretary Cum Correspondent,
Thoothoor, Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the 2nd respondent



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herein to approve the petitioner's appointment as Assistant Professor in the Department of Commerce in the 5th respondent College in the sanctioned aided vacancy caused due to the retirement of Dr.C.Simon with effect from 03.03.2014 to 17.06.2018 in the light of the approval given by the 2nd respondent to the similarly placed persons on the basis of the common order passed in WP Nos.24540, 6226, 6573, 9247 of 2013 and WP No.29335/2012, dated 11.08.2017 with monetary and all other service benefits.

For Petitioner : Mr. B.Brijesh Kishore

For Respondents : Mr.T.Amjadkhan (R1 to R3)
Government Advocate

ORDER

Heard Mr.B.Brijesh Kishore, learned counsel appearing for the petitioner, Mr.T.Amjadkhan, learned Government Advocate appearing for respondents 1- 3. Since no adverse order is going to be passed against the 4th and 5th respondents, notice to the fourth and fifth respondent is dispensed with.

2.The petitioner has filed this writ petition seeking for a direction to the 2nd respondent to approve the petitioner's appointment as Assistant Professor in the Department of Commerce in the 5th respondent College in the sanctioned vacancy arose due to the retirement of Dr.C.Simon with effect from 03.03.2014 to 17.06.2018 in the light of the approval given by the 2nd respondent to the similarly placed persons on the basis of the common order



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passed in W.P Nos.24540, 6226, 6573, 9247 of 2013 and W.P No.29335 of 2012, dated 11.08.2017 with all monetary and other service benefits.

3.The petitioner, who has been appointed at 5th respondent College as an Assistant Professor in Commerce Department on 03.03.2014. However, the approval for the petitioner's appointment has been given with effect from 18.06.2018. Now the petitioner claims that due to the retirement of one Dr.C.Simon on 31.05.2013, she has been appointed on 03.03.2014 in the vacancy, for which, approval has already been granted including the financial grant. The petitioner, who has been appointed in the above said vacancy, approval has been granted only from 18.06.2018, not from 03.03.2014.

4.The Management of the petitioner's College has not challenged the order of approval, dated 20.09.2018, through which, approval has been given to the petitioner only from 18.06.2018. However, the petitioner has not challenged the said order stating that she has not been served with the order of approval. In this regard, the petitioner has made a representation, dated 24.07.2024 before the second respondent and the same has not been considered till date.



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5. In view of the above reasons, the second respondent is directed to consider the representation of the petitioner, dated 24.07.2024 and pass orders in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

18.06.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

1. The State of Tamil Nadu,
Rep. by its Principal Secretary,
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R.N.MANJULA, J.

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ORDER IN
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