



W.P.(MD)No.17707 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.08.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.17707 of 2021

S.Devasagayam

... Petitioner

/Vs./

- 1.The Regional Joint Director Of Collegiate Education,
O/o. Joint Director of Collegiate Education,
Tirunelveli-627008.
- 2.The Chairman / Moderator Commissary,
Tirunelveli Diocesan Trust Association (TDTA) Colleges,
Bishop Stowe,
No.17, North High Ground Road,
Palayamkottai, Tirunelveli-627002.
- 3.The Secretary,
Sarah Tucker College,
Perumalpuram, Tirunelveli.
- 4.The Principal,
Sarah Tucker College,
Perumalpuram, Tirunelveli.
- 5.The Principal,
St. Johns College,
Samadhanapuram,



W.P.(MD)No.17707 of 2021

Palayamkottai,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider and dispose of the petitioner's representations dated 26.07.2016 and 07.07.2020 with regard to the petitioner's promotion to the post of Junior Assistant in the college of 3rd and 5th respondents, in the light of the orders passed by this Court in W.P.(MD) No.20273 and 20274 of 2017 dated 03.10.2019 by relying upon the G.O.(Ms) No. 528, P and AR Department dated 18.05.1985 as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand
For Respondents : Mr.T.Amjad Khan (R1)
Government Advocate
Mr.P.Gunasekaran (R2)

ORDER

This writ petition has been filed for issuance of writ of mandamus, seeking for a direction to the second respondent to pass final orders on the petitioner's representations dated 26.07.2016 and 07.07.2020 seeking for promotion to the petitioner to the post of Junior Assistant in Sarah



W.P.(MD)No.17707 of 2021

Tucker College, Perumalpuram, Tirunelveli, within a time frame to be fixed by this Court.

2. Heard Mr.R.Anand, learned counsel appearing for the petitioner, Mr.T.Amjad Khan, learned Government Advocate appearing for the first respondent and Mr.P.Gunasekaran, learned counsel appearing for the second respondent.

3. The petitioner, who is presently working as Record Clerk at Sarah Tucker College, Perumalpuram, Tirunelveli, seeks for promotion to the post of Junior Assistant in the said college. He has given representations on 26.07.2016 and 07.07.2020 to the second respondent, who has to submit the proposal to the first respondent seeking approval for the promotion of the petitioner to the post of Junior Assistant.

4. Admittedly, till date the representations of the petitioner referred to supra have not been considered by the second respondent. No prejudice will be caused to the second respondent, if the representations of the petitioner as stated supra are considered on merits and in



W.P.(MD)No.17707 of 2021

accordance with law, within a time frame to be fixed by this Court and in case the second respondent deems fit to promote the petitioner to the post of Junior Assistant, he can submit a proposal to the first respondent for the approval within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the second respondent to pass final orders, on merits and in accordance with law, on the petitioner's representations dated 26.07.2016 and 07.07.2020 seeking for his promotion to the post of Junior Assistant in Sarah Tucker College, Perumalpuram, Tirunelveli, within a period of eight weeks from the date of receipt of a copy of this order. In case, the second respondent decides the representations of the petitioner in favour of the petitioner, the second respondent is directed to submit the proposal to the first respondent seeking approval for promotion of the petitioner to the post of Junior Assistant within a period of two weeks thereafter and on receipt of the said proposal, the first respondent shall pass final orders on merits and in accordance with law, on the said proposal within a period of twelve (12) weeks thereafter.



W.P.(MD)No.17707 of 2021

WEB COPY

6. With the aforesaid direction, this writ petition is disposed of.

No costs.

12.08.2024

(1/2)

Index : Yes / No

NCC : Yes / No

sm

TO:

- 1.The Regional Joint Director Of Collegiate Education,
O/o. Joint Director of Collegiate Education,
Tirunelveli-627008.
- 2.The Chairman / Moderator Commissary,
Tirunelveli Diocesan Trust Association (TDTA) Colleges,
Bishop Stowe,
No.17, North High Ground Road,
Palayamkottai, Tirunelveli-627002.



WEB COPY



W.P.(MD)No.17707 of 2021

ABDUL QUDDHOSE, J.

Sm

Order made in
W.P.(MD)No.17707 of 2021
(1/2)

Dated:
12.08.2024