

W.P.No.11129 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.11129 of 2025
and WMP.No.12559 of 2025

Dr.Samuel George Kalai Arasar

... Petitioner

Vs.

1. The Principal Secretary to Government
Higher Education Department,
Secretariat, Chennai 600 009.
2. The Director of Collegiate Education
577, Anna Salai, Saidapet,
Chennai 600 015.
3. The Regional Joint Director
of Collegiate Education,
Gandhi Nagar, Palayamkottai,
Tirunelveli 627 008.
4. The Chairman
Governing Board,
Scott Christian (Autonomous) College,
Nagercoil 629 001,
Kanniyakumari district,
Tamil Nadu.
5. The Bishop
CSI Kanniyakumari Diocese
Nagercoil 629 001
Kanniyakumari District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Mandamus to direct the respondents 1 to 3 to appoint any suitable person to discharge the functions of Correspondent of Scott Christian College by exercising the powers granted under G.O.(Ms)No.1021, Education Department, dated 02.09.1985 or in the alternative this Court may please to appoint any competent person to discharge the duties of Correspondent of Scott Christian College till all the disputes are settled.

For Petitioner : Mrs.G.Selvi George

For Respondents : M/s.S.Indhubala
Addl. Govt. Pleader for R1 to R3
No appearance for R4
Mr.Sunny Sheen Akkara for R5

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to appoint any suitable person to discharge the functions of Correspondent of Scott Christian College by exercising the powers granted under G.O.(Ms)No.1021, Education Department, dated 02.09.1985 or in the alternative this Court may please to appoint any competent person to discharge the duties of Correspondent of Scott Christian College till all the disputes are settled.

2. The petitioner states that the post of Correspondent at Scott



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Christian College, Nagercoil remains vacant due to ongoing legal disputes. The Bishop of CSI Kanyakumari Diocese, stayed the proposal of appointment of Mr.Byju Nizeth Paaul as Correspondent due to various financial irregularities and pending criminal investigation by the Vigilance and Anti-Corruption Department. The absence of a Correspondent resulted in delays in disbursement of salaries, retirement benefits of the staff of the College and other administrative decisions also came to a standstill. Though Mr.Biju Nizeth Paul was permitted to sign the salary slip of the staff, he was picking and choosing and refusing to sign the salary slips of those who were supporting the action of the Bishop and therefore the staff were agitated. As per G.O.(Ms).No.1021, Education Department, dated 02.09.1985, the Government had power to appoint an interim Correspondent to oversee administration in situations like this. As the administration of the College had come to a grinding halt due to the above facts, the petitioner filed the above writ petition for the aforesaid relief.

3. Heard both sides and perused the materials available on record.

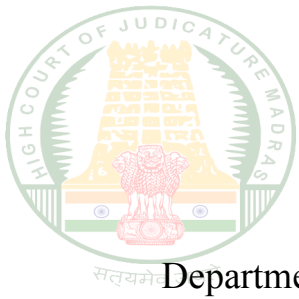
4. With the consent of both the learned counsels the writ petition is taken up for final disposal.



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5. It is seen that there is a legal dispute in the administration of Scott Christian College, Nagercoil, due to which the post of Correspondent remains vacant. Under the circumstances the petitioner seeks a direction to the respondents to appoint any suitable person to discharge the duties of the Correspondent, in the above said College, in terms of G.O.(Ms).No.1021, Education Department, dated 02.09.1985. It is evident from G.O (Ms).No.1021, Education Department dated 02.09.1985, that the Regional Deputy Directors of Collegiate Education are authorised to attend to specific service related matters concerning teachers of Aided Colleges - particularly those incidental to disbursement of salaries - whenever a dispute arises in the management of the Aided Colleges. In such circumstances, upon approval of the Director of Collegiate Education, the Regional Deputy Director may assume responsibility for these functions in the absence of the Secretary of the college, owing to the pendency of the disputes relating to the secretaryship.

6. As the day to day affairs of the college and the overall administration of the college has come to a halt, this Court is inclined to issue a direction to the 2nd respondent to appoint the 3rd respondent as the interim Correspondent, at Scott Christian College, Nagercoil, to discharge the functions of the Correspondent as enumerated in G.O.(Ms).No.1021, Education



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Department dated 02.09.1985, within a period of two weeks, from the date of receipt of a copy of this order. The first respondent is further directed to initiate action on the basis of the web copy of this order, without waiting for the certified copy.

7. With the above direction, the writ petition is allowed. No costs.

Consequently, connected miscellaneous petition is also closed.

15.04.2025

dpq

Index : Yes /No

Speaking Order : Yes/No

To

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