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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-06-2025

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

WP NO. 25162 of 2023

and

WMP NO. 24582 OF 2023

National College

Rep. by its Secretary, K.Raghunathan,
S/o.Dr.R.Kalamegham, No.7, Viswanathapuram,
Tennur, Trichy-17.

Petitioner(s)

Vs

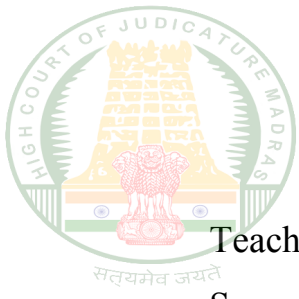
1.The Government Of Tamilnadu
Rep. by its Secretary, Higher Education
Department, Fort St. George, Chennai 9.

2. The Director Of Collegiate Education,
Saidapet, Chennai 15

3. The Regional Joint Director Of Collegiate
Education,
Tiruchirapalli Region, Tiruchirapalli.

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the second respondent made in O.Mu.No.2285/F3/2023 dated 26.07.2023 and quash the same in so far as it rejects the proposal for approval for appointment of 18 posts of Group D non teaching staff and consequently, direct the second respondent to grant approval for the petitioner College to appoint 18 posts of Group D Non-



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Teaching Staffs namely Office Assistant -4, Watchman-2, Waterman-2, Sweeper-5, Scavenger-2, Gardener-2 and Marker -1.

For Petitioners : Ms.Selvi George

For Respondents : Mr.D.Ravichander, Spl.GP

ORDER

This Petition has been filed seeking for issuance of a Certiorarified Mandamus, to call for the records on the file of the second respondent made in O.Mu.No.2285/F3/2023 dated 26.07.2023 and quash the same in so far as it rejects the proposal for approval for appointment of 18 posts of Group D non teaching staff and consequently, direct the second respondent to grant approval for the petitioner College to appoint 18 posts of Group D Non-Teaching Staffs namely Office Assistant -4, Watchman-2, Waterman-2, Sweeper-5, Scavenger-2, Gardener-2 and Marker -1.

2.Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the entire material available on record.

3.The petitioner College has been sanctioned posts for non-teaching



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staffs under the Aided Scheme. Currently, the petitioner College has 265 dedicated teaching staff, 100 non-teaching staff and about 5000 students on its rolls. The second respondent submitted a proposal to the first respondent, based on the petitioner's representation, dated 27.07.2022 seeking to fill up 48 vacant posts of non-teaching staffs. When it is not considered by the respondents, the petitioner filed W.P.No.31626 of 2022 before this Court. The said Writ Petition was disposed of vide order dated 25.11.2022, with a direction to the first respondent therein to pass final orders on the second respondent's proposal, which was submitted to the first respondent, within a period of 12 weeks from the date of receipt of a copy of the order. In compliance of the said order, the Director of College Education issued proceedings dated 26.07.2023, wherein, an approval was granted to fill up 30 non-teaching posts under different categories, out of 48 vacant posts. Aggrieved by the proceedings dated 26.07.2023, in only granting approval for 30 non-teaching posts under different categories and not granting approval for 18 posts out of 48 vacant posts, the petitioner College has constrained to file the present Writ Petition.

4. During the course of hearing, Mr.D.Ravichandar, learned Special



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Government Pleader appearing for the respondents, on instructions, would submit that he called for the records from the respondents and perused the same and accordingly, he would submit that the order impugned in this Writ Petition is contrary to the judgment dated 03.03.2025 passed by the Division Bench of this Court in W.A No.574 of 2025.

5.Considering the facts and circumstances of the case and as the learned Special Government Pleader has fairly submitted that the order impugned in this Writ Petition is against the judgment of the Division Bench of this Court as cited supra, in our considered view, the petitioner College is entitled for the relief as sought in this Writ Petition.

6.Accordingly, this Writ Petition is allowed, with the following directions:

(i) the impugned order of the second respondent made in O.Mu.No.2285/F3/2023 dated 26.07.2023 is hereby quashed, to the extent of not granting approval for 18 non-teaching staffs under different categories.

(ii)the second respondent shall pass orders forthwith, based on the



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petitioner's representation, dated 27.07.2022 seeking to fill up 48 vacant posts of non-teaching staff under different categories, which were not approved in the impugned order, within a period of two weeks from today.

No costs.

Consequently connected miscellaneous petition is closed.

20.06.2025

Index : Yes/No

Speaking order: Yes/No

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To

1. The Government Of Tamilnadu

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2. The Director Of Collegiate Education,
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3. The Regional Joint Director Of Collegiate Education,
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BATTU DEVANAND, J

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