



WEB COPY



W.P.No.32688 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 32688 of 2025

&

W.M.P.Nos. 36604 & 36606 of 2025

R.Aswin

...Petitioner

VS.

1.The Government of Tamil Nadu
Represented by the Principal Secretary,
Higher Education Department,
Fort st. George,
Chennai-600 009

2.The Government of Tamil Nadu
Rep. by the Principal Secretary,
Finance Department,
Fort St. George,
Chennai-600 009



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3.The Commissioner of Collegiate Education

IASE. Campus,

577, Anna Salai,

Saidapet,

Chennai-600 015

4.The Regional Joint Director Collegiate Education,

Chennai Region, IASE. Campus,

577, Anna salai, Saidapet,

Chennai-600 015

5.The Correspondent and Secretary

YMCA. College of Physical Education,

Nandanam, Chennai-600 035

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issue of Writ of Certiorarified Mandamus, to call for the records on the file of the 4th Respondent made in Na.Ka.No.CHNRJD/358/2025 dated 02.04.2025 and quash the same and consequently direct the respondents 1 to 4 to approve the Petitioner's appointment as Office Assistant in the 5th Respondent College in the sanctioned Vacancy and pay the arrears of salary w.e.f.



W.P.No.32688 of 2022

04.01.2023 without reference to G.O. Ms. No.128, Finance (Ze-Bag)

Department dated 21.02.2006.

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For Petitioner : M/s. Selvi George
For Mr. E.Martin Jaya Kumar

For Respondents : Mr. C.Jayaprakash
1 to 4

ORDER

The Writ Petition is filed for the following relief:

“to call for the records on the file of the 4th Respondent made in Na.Ka.No.CHNRJD/358/2025 dated 02.04.2025 and quash the same and consequently direct the respondents 1 to 4 to approve the Petitioner's appointment as Office Assistant in the 5th Respondent College in the sanctioned Vacancy and pay the arrears of salary w.e.f. 04.01.2023 without reference to G.O. Ms. No.128, Finance (Ze-Bag) Department dated 21.02.2006”.



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2. The case on hand is covered the Judgement passed in WA.No.574 of 2025 dated 03.03.2025, wherein the Division Bench has held as follows:

“4.Since the Directorate of Education did not approve appointment, the College sought for a mandamus directing approval of appointment of one T.Govindammal as a Sanitary worker with effect from 24.06.2019. The learned Single Judge relying upon the Division Bench Judgement in the State of Tamil Nadu Vs. The Secretary, Nirmala College for Women, allowed the writ petitions, directing grant of approval. It is this order, which is subject matter of challenge in this appeal.

7.No doubt, the Government has got the power to regulate appointments in Government aided Colleges but, that cannot be done by way of administrative orders which run contrary to the rules that are already in force. We therefore, see no merit in the appeal. This writ appeal



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fails and it is accordingly dismissed. Consequently, connected miscellaneous petition is closed.

8. Since we find that this appeal is re-agitation of a matter, which is already settled by a Division Bench of this Court and approved by the Hon'ble Supreme Court we impose cost of Rs.5,00,000/- on the Government. A cost of Rs.2,50,000/- is to be paid through the College to the person appointed as a Sanitary Worker and the remaining sum of Rs.2,50,000/- shall be paid to the Madras High Court Legal Services Authority. The Government is granted four weeks time to comply with the order of the learned Single Judge. Costs shall be paid within a period of 15 days from today”.

3. Therefore, the Writ Petition is allowed. The order of the 4th Respondent made in Na.Ka.No.CHNRJD/358/2025 dated 02.04.2025 is quashed and direction is issued to the respondents 1 to 4 to approve the Petitioner's appointment as Office Assistant in the 5th Respondent



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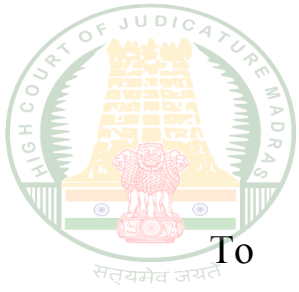
College in the sanctioned Vacancy and pay the arrears of salary w.e.f.

04.01.2023 without reference to G.O. Ms. No.128, Finance (Ze-Bag)

Department dated 21.02.2006, within a period of 4 weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed. No costs.

28.08.2025

Index : Yes/No
Internet : Yes/No
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To

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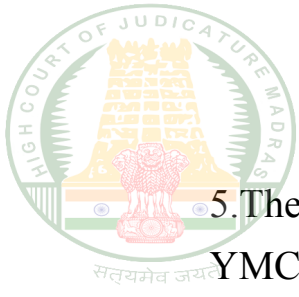
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