



W.P.(MD) No.3773 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.3773 of 2025

Jose E Subin

... Petitioner

Vs.

1.The Manonmaniam Sundaranar University,

Rep. by its Registrar,

Abishekapatti,

Tirunelveli District.

2.The Administrator,

St.Judes College,

Thoothur,

Kanyakumari District.

3.The Regional Joint Director of Collegiate Education,

Tirunelveli Region,

Tirunelveli.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first respondent to grant qualification approval with effect from



W.P.(MD) No.3773 of 2025

24.01.2012 by passing orders on the proposal of the second respondent in SJC/2811/A.O/2024 dated 16.07.2024 within the period that may be stipulated by this Court.

For Petitioner : Mr.G.R.Balakumar

For Respondent No.1 : Mr.Mahaboob Athiff

Standing Counsel

For Respondent No.2 : Mr.T.Amjad Khan

Government Advocate

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus directing the first respondent to grant qualification approval with effect from 24.01.2012, by passing orders on the proposal of the second respondent in SJC/2811/A.O/2024 dated 16.07.2024.

2. The case of the petitioner is that he was appointed as Assistant Professor of Tamil in the Department of Tamil, St.Judes College, Thoothur, which is a minority private college affiliated to the first respondent University. He has been discharging his duties for the past 13 years and the third respondent had granted approval for appointment of the petitioner vide proceedings dated 21.08.2018. While so, the first respondent had granted qualification approval by proceedings dated 03.08.2018 only with effect from 18.06.2018, without any justification. The petitioner



W.P.(MD) No.3773 of 2025

submitted a representation to the Administrator / second respondent to send proposal for approval from the date of his appointment. Pursuant to the same, the proposals were sent to the third respondent by the second respondent. Since there was no response, the petitioner was constrained to file a Writ Petition in W.P.(MD)No.16487 of 2022, seeking a direction to the Joint Director to grant approval from the date of his initial appointment.

3. Thereafter, the Director of Collegiate Education vide his proceedings dated 25.08.2022, granted approval of the appointment of the petitioner with effect from 24.01.2012. In view of the grievance being redressed by the respondent therein, the petitioner had withdrawn the writ petition in W.P.(MD)No.16487 of 2022. The proceedings of the third respondent dated 25.08.2022 is under challenge in W.P.(MD)No.6625 of 2023, on the file of this Court, filed by one Dr.M.Mary and it is pending. The second respondent had submitted a proposal on 27.06.2024 to the first respondent to grant qualification approval of the petitioner's appointment with effect from 24.01.2022. Despite receipt of the same, the first respondent is not taking any action on the said proposal. Aggrieved by the same, the present writ petition has been filed.



W.P.(MD) No.3773 of 2025

4. Heard the learned Counsel appearing for the petitioner, learned Standing Counsel appearing for the first respondent and the learned Government Advocate appearing for the third respondent.

5. Considering the facts and circumstances of the case, in my considered view, this Writ Petition can be disposed of, without going into the merits of the case with a direction to the first respondent to consider the proposal sent by the second respondent on 16.07.2024, in accordance with law within a stipulated time to meet the ends of justice.

6. Accordingly, this Writ Petition stands disposed of, with a direction to the first respondent to consider the proposal sent by the second respondent dated 16.07.2024, in accordance with law and pass orders within a period of four [4] weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

12.02.2025

NCC : Yes/No
Index: Yes/No
Internet : Yes
MR



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W.P.(MD) No.3773 of 2025

To

1.The Registrar,

Manonmaniam Sundaranar University,

Abishekapatti,

Tirunelveli District.

2.The Regional Joint Director of Collegiate Education,

Tirunelveli Region,

Tirunelveli.



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W.P.(MD) No.3773 of 2025

BATTU DEVANAND, J.

MR

W.P.(MD)No.3773 of 2025

Dated : 12.02.2025