



WEB COPY



WP(MD)No.6710 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.10.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

W.P.(MD)No.6710 of 2025 &
WMP.(MD).Nos.4960 & 4962 of 2025

The Secretary,
Fatima College (Autonomous)
Mary Land, Madurai – 625 018.

... Petitioner

/vs./

1.The State of Tamil Nadu,
Rep., by its Secretary,
Department of Higher Education,
Fort St., George, Chennai - 600 009.

2.The State of Tamil Nadu,
Rep., by its Secretary,
Department of Finance,
Fort St., George, Chennai – 600 009.

3.The Commissioner of Collegiate Education,
College Road, Chennai – 600 006.

4.The Joint Director of Collegiate Education,
Palam Station Road,
Madurai – 625 002

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the fourth respondent Joint Director of Collegiate Education in Oo.Mu.No.11868/E1/2023, dated 29.11.2023, quash the



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same and further direct the respondents herein to approve forthwith the promotion of V.Venis from the post of Office Assistant to Mechanic in the petitioner's college and to disburse the grant-in-aid towards his salary w.e.f., 01.05.2018, with all attendant benefits, and pass such further order.

For Petitioner : Mr.A.Amala

For Respondents : Mr.M.Siddarthan AGP for RR1 to R4

ORDER

This Writ Petition had been filed to quash the impugned proceedings of the fourth respondent Joint Director, dated 29.11.2023 and further direct the respondents herein to approve forthwith the promotion of V.Venis from the post of Office Assistant to Mechanic in the petitioner's college and to disburse the grant-in-aid towards his salary w.e.f., 01.05.2018, with all attendant benefits.

2. The petitioner's proposal for approval of appointment of an individual as a Mechanic had been rejected on the ground that the post had been abolished. The denial of approval had been made with reference to G.O.Ms.(D)No.135 dated 12.06.2009 and G.O.Ms.No.114 dated 28.06.2012.

3. It is not in dispute that the post of Mechanic in the petitioner College is a permanent sanctioned post and on the vacancy that had arisen on the superannuation of the incumbent. A learned Judge of this Court considering the



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fact that it is a permanent sanctioned post, had held that the G.O.Ms.(D)No.135, dated 12.06.2009 cannot be made applicable to the facts of the said case. In view of the same, the subsequent G.O.Ms.No.114, which is banned to fill up a non abolished post, cannot also be made applicable to the facts of the present case.

4.In such view of the matter, the Writ Petition is allowed and the impugned order herein is set aside with a direction to the respondents to approve the appointment of the proposal of the petitioner for the post of Mechanic, which had been rejected under the impugned order herein. Such exercise shall be made by the respondents, within a period of twelve (12) weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

24.10.2025

Index : Yes / No
Internet : Yes / No
pbn



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K.KUMARESH BABU, J.

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