



W.P.(MD)No.31225 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.01.2025

CORAM:

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD)No.31225 of 2024**

**and**

**W.M.P(MD)No.26187 of 2024**

The Secretary,  
St.Joseph's College (Autonomous),  
Tiruchirapalli – 620 002,  
Tiruchirapalli District.

... Petitione

Vs.

1. The State of Tamil Nadu,  
Represented by its Secretary,  
Department of Higher Education,  
Fort St.George,  
Chennai – 600 009.
2. The Commissioner of Collegiate Education,  
Saidapet,  
Chennai – 600 015.
3. The Joint Director of Collegiate Education,  
Tiruchirapalli Region,  
Tiruchirapalli District – 620 023.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 3<sup>rd</sup> respondent Joint Director to approve forthwith the appointment of 4 teaching staff (Name List annexed) in the petitioner's college and disburse the grant-in-aid towards their salary and allowances w.e.f their respective date of their appointment.



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For Petitioner : Mr.K.Ragatheesh Kumar  
for M/s.Isaac Chambers

For Respondents : N.Satheesh Kumar  
Additional Government Pleader

### **ORDER**

Mr.N.Satheesh Kumar, learned Additional Government Pleader takes notice on behalf of the Respondents.

2. The instant writ petition has been filed by the management of aided minority educational institution seeking a mandamus to approve their proposal to approve the appointment of one Assistant Professor in Zoology Department and three Assistant Professors in Computer Science Department.

3. The appointments were made by the management in the month of June 2024 and August 2024. The management has sent the appointment orders to the Bharathidasan University Trichy seeking qualification approval. The University has also approved qualification approval on



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29.08.2024. Thereafter, the management has forwarded the proposal to the 3<sup>rd</sup> respondent for approving the appointment. Since the 3<sup>rd</sup> respondent has not considered the proposal to date, the petitioner is constrained to file the present writ petition.

4. The 3<sup>rd</sup> respondent has filed a counter contending that the work load of college has to be assessed by the 2<sup>nd</sup> respondent and thereafter granting approval would be considered.

5. The learned Additional Government Pleader relying upon the said counter contended that unless work load of college in each of the Department is assessed, question of approving the appointment of the 4 Assistant Professors would not arise.

6. Heard the learned counsel on either side and perused the materials available on records.

7. Neither the 2<sup>nd</sup> respondent nor the 3<sup>rd</sup> respondent at any point of time had questioned the students strength of the petitioner college nor the



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work load of various teaching faculty in the Department of the petitioner college. Therefore, this Court is of the considered opinion that a lame excuse has been offered by the 3<sup>rd</sup> respondent in his counter to delay the approval for the appointment made by the petitioner college.

8. In view of the above said facts, the 3<sup>rd</sup> respondent is directed to approve the appointment of four Assistant Professors, if they are otherwise qualified and pass appropriate orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

**22.01.2025**

NCC :yes/No  
Index :yes/No  
Internet:yes/No  
rgm



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To

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The Government of Tamil Nadu,  
Department of Higher Education,  
Fort St.George,  
Chennai – 600 009.
2. The Commissioner of Collegiate Education,  
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Chennai – 600 015.
3. The Joint Director of Collegiate Education,  
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**R.VIJAYAKUMAR, J.**

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22.01.2025