



W.P.(MD)No.6362 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.6362 of 2026

Monika Jemi Jeba

... Petitioner

Vs.

1.The Commissioner / Director of College Education,
College Road, Chennai-600 006.

2.The Regional Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli-627 008.

3.The Secretary,
Sarah Tucker College,
Perumalpuram, Tirunelveli-627 007.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned order of the first respondent in Na.Ka.No.31397/F4/2018 dated 06.11.2019 and the consequential impugned order of the second respondent in Pa.Mu.No. 3701/Aa3/2019-5 dated 13.12.2019 and quash the same in so far as approving the appointment of the petitioner as Lab Assistant in the third respondent college w.e.f, 06.11.2019 instead of original appointment namely 18.12.2017 and



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consequently direct the respondents to approve the appointment of the petitioner as Lab Assistant from the original date of appointment namely 18.12.2017 and disburse the arrears of salary from 18.12.2017 to 05.11.2019 along with attended benefits.

For Petitioner : Mr.T.Pon Ramkumar
For R1 & R2 : Mrs.K.Porkodi
Government Pleader
For R3 : Mr.P.P.Alwin Balan

ORDER

The present writ petition has been filed challenging the impugned order passed by the first respondent dated 6.11.2019 and the consequential impugned order passed by the second respondent dated 13.12.2019.

2. The petitioner herein was appointed as a Lab Assistant in the third respondent college on 18.12.2017, following the due process of law, on a temporary basis subject to approval by the first respondent. Accordingly, the petitioner joined service on 18.12.2017. The appointment order also made it clear that the salary payable to the petitioner would be released only upon



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approval of her appointment and the release of amounts by the first respondent.

Accordingly, the third respondent submitted a proposal seeking approval of the appointment of the petitioner on 05.01.2018 to the second respondent. The proposal was returned by the second respondent pointing out certain deficiencies. Thereafter, the third respondent resubmitted the proposal on 02.04.2019 after rectifying the deficiencies. The said proposal that was resubmitted on 02.04.2019 was approved by the first respondent through proceedings in Na.Ka.No.31397/F4/2018, dated 06.11.2019. The second respondent issued the consequential proceedings in Pa.Ku.No.3701/A3/2019-5, dated 13.12.2019. At that stage, the approval proceedings dated 6.11.2019 came to be challenged by a third party through W.P(MD)No.18289 of 2020. The said writ petition was dismissed by this Court by order dated 03.10.2023, directing the department to release the salary arrears payable to the petitioner forthwith and without any delay.

3. Complaining of non-payment of salary as directed by this Court, the petitioner filed Cont P(MD)No.2847 of 2025. The said contempt petition came



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to be closed on 19.01.2026 after payment of salary to the petitioner with effect from 06.11.2019. Thereafter, the petitioner approached this Court contending that the approval granted from 6.11.2019 was not in accordance with law and that approval ought to have been granted from the date of her appointment, namely 18.12.2017, as she had been continuously working in the third respondent college.

4. The second respondent filed a counter affidavit contending that the third respondent had submitted a defective proposal on 05.01.2018 and that the proposal was resubmitted only on 02.04.2019 after rectifying the deficiencies. It was further contended that the proposal was approved immediately thereafter and therefore, approval could be granted only from the date on which the approval order was issued and not from the actual date of appointment of the petitioner.

5. Heard the learned counsel for the petitioner, Mrs.K.Porkodi, learned Government Pleader appearing for the respondents 1 & 2 and Mr.P.P.Alwin Balan, learned counsel for the third respondent.



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WEB COPY6. It is not in dispute that, through the impugned proceedings, what was approved was the appointment of the petitioner made on 18.12.2017. There is nothing in the counter affidavit to indicate any illegality or irregularity in the petitioner's appointment. The post to which the petitioner was appointed is admittedly a sanctioned post. The vacancy was filled up by the third respondent in accordance with law. The very fact that the appointment was approved by respondents 1 & 2 clearly indicates that the appointment had been made in accordance with law.

7. As already noted, the challenge made against the approval granted to the petitioner's appointment was negatived by this Court. In the absence of any irregularity or illegality pointed out by the respondents, there is absolutely no justification for granting approval of the appointment only from the date of issuance of the proceedings dated 06.11.2019. Though the respondents 1 & 2 have filed an elaborate counter affidavit, there is nothing therein to support the action of the respondents in granting approval only from the date on 06.11.2019. Except repeatedly saying that the approval was granted in accordance with law



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and was not arbitrary, no reasons have been assigned either in the counter affidavit or in the impugned proceedings to sustain their action in granting approval only from 06.11.2019 instead of from the actual date of appointment, namely, 18.12.2017.

8. In the absence of any justification by respondents for approving the petitioner's appointment only from the date of the proceedings, ie., on 06.11.2019, the impugned proceedings are liable to be quashed. This Court is convinced that the action of the respondents is arbitrary and does not withstand legal scrutiny.

9. Accordingly, the impugned proceedings dated 06.11.2019 and the consequential proceedings dated 13.12.2019 issued by the second respondent are quashed to the extent of granting approval only from 06.11.2019. Consequently, the respondents are directed to grant approval to the petitioner's appointment with effect from 18.12.2017, being the actual date of appointment, and to release all salary arrears and other monetary benefits payable to the petitioner from



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18.12.2017 till 06.11.2019 as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this order.

10. In the result, the writ petition is allowed. No costs.

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Neutral Citation: Yes / No
Index : Yes / No
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To

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College Road, Chennai-600 006.
- 2.The Regional Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli-627 008.



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MUMMINENI SUDHEER KUMAR, J.

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