



W.A(MD) No.1535 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 05.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.A(MD) No.1535 of 2021

&

C.M.P.(MD)No.6308 of 2021

M.Selvadhas

... Appellant / Petitioner

Vs.

- 1.State of Tamil Nadu,
Rep. by Secretary,
Higher Education Department,
Fort St.George,
Chennai-600 009.
- 2.The Director of Collegiate Education,
College Road, Chennai-600 006.
- 3.The Joint Director of Collegiate Education,
Tiurnelveli Region,
Gandhi Nagar,
Tirunelveli-627 008.
- 4.C.Paul Raj



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5.Nesamony Memorial Christian College,
Marthandam, Kanyakumari District,
Rep. by its Correspondent / Secretary,
Kanyakumari District.

... Respondents / Respondents 1 to 5

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 08.07.2021 in W.P.MD.No.1995 of 2018 and allow the above appeal.

For Appellant : Mr.B.Brijesh Kishore

For Respondents : Mr.L.Siva
Government Advocate
for R1 to R3

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

The learned counsel on either side were heard.

2. The unsuccessful writ petitioner is the appellant before us. Since we indicated that the matter can be decided by the 3rd respondent herein, the learned counsel for the appellant submitted that he may be directed to withdraw the writ appeal itself. Accordingly, the writ appeal is dismissed as infructuous.



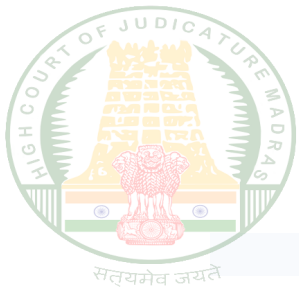
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3. The appellant as well as the fourth respondent Paul Raj claimed that they were appointed as office assistants in the fifth respondent college on 01.11.2020. But there is only one sanctioned post.

4. The learned counsel for the fourth respondent strongly contended that the writ petitioner did not obtain any formal order of appointment from the competent authority and the order now produced before us is not a genuine one. In fact, the learned counsel for the fourth respondent wanted to demonstrate the veracity of this assertion.

5. We are of the view that we need not go into this factual issue. Since the proposal for approving the fourth respondent's appointment was returned by the 3rd respondent by citing the pendency of this litigation, we relegate the writ petitioner / appellant as well as the 4th respondent to go before the 3rd respondent. It appears that while the college management had sent the proposal for approving the fourth respondent's appointment, no such proposal appears to have been sent in respect of the writ petitioner / appellant.



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6. Be that as it may, the appellant can very well place his case before the third respondent. The third respondent will hear both the parties in person and after conducting proper enquiry, pass a speaking order on merits and in accordance with law within a period of three months. The appellant as well as the 4th respondent will appear before the third respondent on 18.06.2026. We reiterate that we have not gone into the merits of the matter.

7. The Writ Appeal is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.P., J.)
05.06.2026

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
rmi

To

1. The Secretary,
Higher Education Department,
Fort St. George,
Chennai-600 009.

2. The Director of Collegiate Education,
College Road, Chennai-600 006.

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3.The Joint Director of Collegiate Education,
Tirunelveli Region,
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