

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.12.2017

Coram:

The Honourable Mr. Justice M. S. RAMESH

W.P.No.33782 of 2017

Dr. A. Jaya Esklin

...Petitioner

Versus

1. The Director of Collegiate Education,
College Road,
Chennai - 600 006.
 2. The Joint Director of Collegiate Education,
Thirunelveli Region,
Thirunelveli.
 3. The Secretary-cum-Correspondent,
Women's Christian College,
Nagercoil.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent herein to approve and regularize the petitioner's appointment as Assistant Professor in Tamil in the third respondent College, in the sanctioned retirement vacancy of Mrs.Nirmala Roy with effect from 01.06.2013 to 10.01.2016 in the light of the approval given by the first respondent to the similarly placed persons Dr.R.Josily in Na.Ka.No.4600/F2/2017 dated 14.11.2017 in W.P.No.3311 of 2016 dated 22.02.2016 and Na.Ka.No.33733/F2/2005 dated 01.09.2014 in W.P.No.17368 of 2005 dated 29.06.2005, W.A.Nos.140 & 811 of 2006 and 805 of 2007 dated 21.10.2010 and in SLP.Nos.19526 to 19528 of 2013 dated 29.11.2013 with monetary, service and all other benefits for the said period based on the representation dated 22.02.2017 given by the petitioner.

For Petitioner : Mr. P. Ganesan
for Mr.A.V.Bharathi
For Respondents 1 & 2 : Mr. T. M. Pappiah,
Special Government Pleader
Respondent 3 : Mr. S. Bharathirajan

O R D E R

Mr.T.M. Pappiah, learned Special Government Pleader takes notice for the respondents 1 and 2 and Mr.S. Bharathirajan, learned counsel takes notice for 3rd respondent and by consent of both sides, the main writ petition is taken up for final disposal.

2. This Writ Petition is filed to issue a Writ of Mandamus directing the first respondent herein to approve and regularize the petitioner's appointment as Assistant Professor in Tamil in the third respondent College, in the sanctioned retirement vacancy of Mrs.Nirmala Roy with effect from 01.06.2013 to 10.01.2016 in the light of the approval given by the first respondent to the similarly placed persons Dr.R.Josily in Na.Ka.No.4600/F2/2017 dated 14.11.2017 in W.P.No.3311 of 2016 dated 22.02.2016 and Na.Ka.No.33733/F2/2005 dated 01.09.2014 in W.P.No.17368 of 2005 dated 29.06.2005, W.A.Nos.140 & 811 of 2006 and 805 of 2007 dated 21.10.2010 and in SLP.Nos.19526 to 19528 of 2013 dated 29.11.2013 with monetary, service and all other benefits for the said period based on the representation dated 22.02.2017 given by the petitioner.

3. Since the appointment of the petitioner was not approved and regularized within a reasonable time, the representation dated 22.02.2017 came to be made by the petitioner, seeking for approval and regularization of the appointment and the same are kept pending till date.

4. Though the petitioner has sought for a direction to the first respondent to approve and regularize the petitioner's appointment, learned counsel for the petitioner submitted that he will be satisfied if his representation seeking for approval and regularization of the appointment is directed to be considered by the respondents.

5. In view of the said submission, there shall be a direction to the first respondent to consider the petitioner's the representation dated 22.02.2017 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order. The petitioner is also directed to give a copy of the said representation to the first respondent along with this order and it is open to the petitioner to submit any further document, which he may place reliance upon.

6. With the above observation, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

cla/mrr

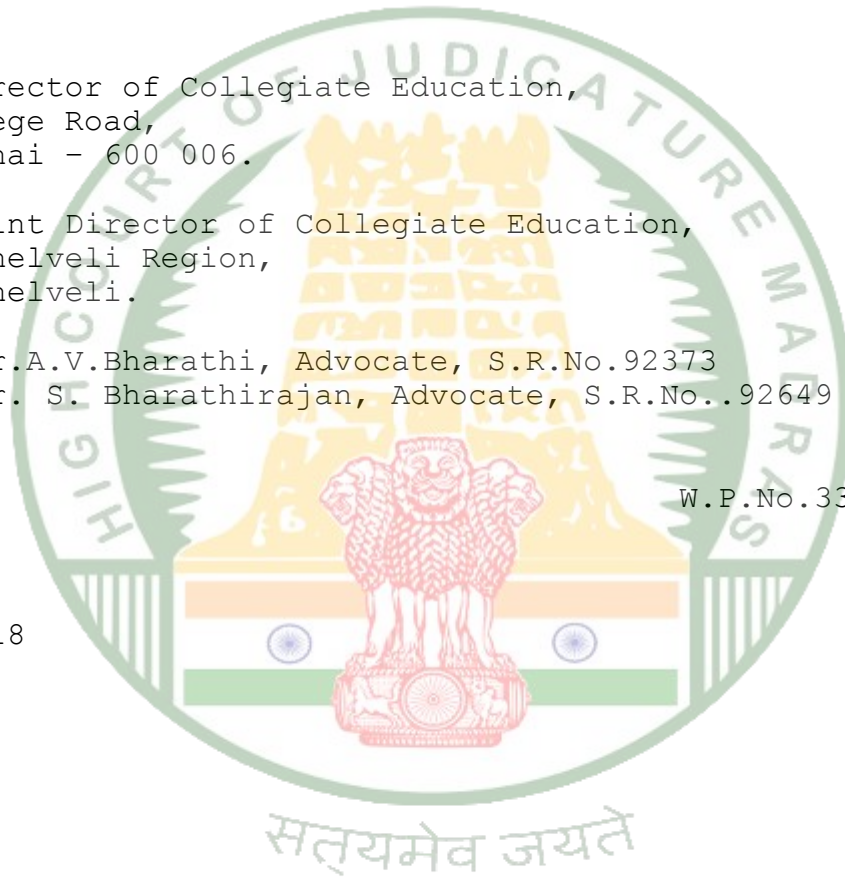
To

1. The Director of Collegiate Education,
College Road,
Chennai - 600 006.
2. The Joint Director of Collegiate Education,
Thirunelveli Region,
Thirunelveli.

+1cc to Mr.A.V.Bharathi, Advocate, S.R.No.92373
+1cc to Mr. S. Bharathirajan, Advocate, S.R.No..92649

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RSY(CO)
CS/24/01/18



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