

In the High Court of Judicature at Madras

Dated: 29.07.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and

The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 21086 of 2015
and M.P. Nos. 1 and 2 of 2015

Dr. K. Kathiravan .. Petitioner

vs.

1. The University Grants Commission
rep. by its Chairman
No.35, Feroze Shah Road
New Delhi-110 001.
2. The University of Madras
rep. by its Registrar
Chepauk, Chennai-600005.
3. State of Tamilnadu
rep. by its Secretary to Government
Adi Dravidar and Tribal Welfare Department
Fort St. George Chennai-9.
4. The National Commission for Scheduled Caste
rep. by its Director
2nd Floor, Sastri Bhavan, Chennai-6.
5. The Secretary
Ministry of Human Resource Development
Sasthri Bhavan -C Wing
Dr.Rajendraprasad Road
New Delhi 110 001.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the records relating to the appointment notification issued by

the 2nd respondent on 01.06.2014 by the 2nd respondent and the consequential selection process for appointment to the post of professor in various department including Bio-Technology Department, quash the same and direct the 2nd respondent to issue a fresh notification duly complying with UGC Guidelines for strict implementation of Reservation Policy of the Government in Universities, Deemed to be Universities, Colleges and Grant in Aid Institutions and Centres.

For Petitioner : Mr. S. Senthilnathan
For Respondents : Mr. Su Srinivasan
Asst. Solicitor General for R5
Mr. S.T.S. Murthi
Govt. Pleader for R3.

O R D E R

(Made by The Hon'ble The Chief Justice)

The petitioner before us earlier filed Writ Petition No.34016 of 2014 which was listed before the learned Single Judge and on 11.06.2015 that petition was withdrawn with liberty to pursue the matter administratively. Thus, the only liberty granted was for pursuing the matter administratively, implying no further litigation would take place in that behalf.

2. The petitioner thereafter filed a public interest litigation on the same cause being Writ Petition No.17395 of 2015. Noticing the earlier order of the learned Single Judge, we had dismissed that petition as withdrawn on 02.07.2015. In fact, the result of the earlier petition was not mentioned correctly as actually the order was contrary to the representation made in the petition that the earlier petition had been withdrawn with liberty to file a public interest litigation or for that matter, any other legal proceedings. The writ petition was found to be misconceived and we had indicated that we were inclined to impose exemplary costs on the petitioner, but the learned counsel stated that there had been some misunderstanding and thus, he may be permitted to withdraw that petition.

3. This is the third round now started and thus, the petitioner will have to pay costs for this misadventure.

4. We may also note that as per the Minutes of the Syndicate dated 06.07.2015, the appointment orders for the post of Professors have been issued.

5. Thus, the petition is dismissed with costs of Rs.5,000/- to be deposited with the Mediation Centre, High Court, Madras within two

weeks from the date of receipt of a copy of this order.
Consequently, M.P. Nos.1 and 2 of 2015 are also dismissed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

ATR
Copies to;

1. The Chairman
University Grants Commission
No.35, Feroze Shah Road
New Delhi-110 001.
 2. The Registrar
University of Madras
Chepauk, Chennai-600005.
 3. The Secretary to Government
State of Tamilnadu
Adi Dravidar and Tribal Welfare Department
Fort St. George Chennai-9.
 4. The Director
National Commission for Scheduled Caste
2nd Floor, Sastri Bhavan, Chennai-6.
 5. The Secretary
Ministry of Human Resource Development
Sasthri Bhavan -C Wing
Dr.Rajendraprasad Road
New Delhi 110 001.
 - 6.the Assistant Registrar,
Mediation Centre, High Court, Madras.
- 1 cc to Mr.S.Senthilnathan , Advocate Sr.No.39820
1 cc to Government Pleader.Sr.No.38917

W.P. No. 21086 of 2015

bvr (co)
pmk.12.8.2015