

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29941 of 2015

O.Balakrishnan

... Petitioner

Vs.

The Registrar
Bharathiyar University
Coimbatore - 46.

.... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 30.04.2015 by taking note of UGC Regulation issued in F.3-1/2009, dated 30.06.2010 within a stipulated time as this Honourable Court fixes.

For Petitioner : Mr.C.Prakasam
For Respondent : Mr.S.T.S.Moorthy

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that he is having the educational qualification of M.A.(Tamil), M.Phil and Ph.D and originally joined as Assistant Professor in Shanthalinga Adikalar Arts and Science and Tamil College, Perur, Coimbatore on 07.10.1998 and was working in the said college upto 23.03.2009 and thereafter, he was selected as Assistant Professor in the services of the respondent University and he joined on 24.03.2009 and at present, continuing in the same post. The petitioner subsequently made a request praying for consideration of his name under Career Advancement Scheme (CAS) and he was orally informed that since he has put in service as Assistant Professor only for a period of two years, it cannot be considered.

3.According to the petitioner, in terms of UGC Regulations On Minimum Qualifications For Appointment Of Teachers And Other Academic Staff In Universities And Colleges And Measures For The Maintenance Of Standards In Higher Education 2010 bearing No.F.3-1/2009 dated 30.06.2010, previous regular service, whether national or international,

as Assistant Professor, Associate Professor or Professor or equivalent in a University, College, National Laboratories or other scientific/professional Organizations such as the CSIR, ICAR, DRDO, UGC, ICSSR, ICHR, ICMR, DBT, etc., should be counted for direct recruitment and promotion under CAS of a teacher as Assistant Professor, Associate Professor, Professor or any other nomenclature and therefore, he submitted a representation dated 30.04.2015 to the respondents and since no orders have been passed, came forward to file this writ petition.

4. Heard the submissions of Mr.C.Prakasam, learned counsel appearing for the petitioner and Mr.S.T.S.Moorthy, learned Standing Counsel who accepts notice on behalf of the respondent.

5. Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, directs the respondent to consider and dispose of the petitioner's representation dated 30.04.2015 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. The writ petition is disposed of accordingly. No costs.

-sd/-

ASSISTANT REGISTRAR

/ TRUE COPY /

SUB-ASSISTANT REGISTRAR

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To

The Registrar
Bharathiyar University
Coimbatore - 46.

+1 CC to MR.C.Prakasam ADVOCATE. SR.NO. 52513

W.P.No.29941 of 2015

CO-EV
JD 09/10/2015