

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.12.2015

Coram:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.41007 of 2015  
and  
M.P.Nos.1 to 3 of 2015

L.Maria Arulraj

... Petitioner

vs.

1.State of Tamil Nadu, rep by its  
Secretary to Government  
Higher Education Department  
Secretariat, Chennai 600 009.

2.The Registrar  
Periyar University  
University Campus  
Periyar Palkalai Nagar  
Salem 636 011.

... Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records pertaining to the order passed by the 2nd respondent in their Notification No.Nil, dated 09.12.2014 and quash the same, in so far as the post of Assistant Professor, Statistics Department, in Periyar University College of Arts and Science, Mettur, and direct the respondents to regularize the services of the petitioner and confer all the consequential benefits.

For Petitioner : Mr.C.Selvaraj,  
Senior Counsel

for M/s C.S.Associates

For R1 : Mr.P.Sanjay Gandhi, Addl.Govt.Pleader

For R2 : Mr.P.Isaac Mohanlal

ORDER

This writ petition has been filed seeking a writ of certiorarified mandamus calling for the records pertaining to the order passed by the 2nd respondent in their Notification No.Nil, dated 09.12.2014 and quash the same, in so far as the post of Assistant Professor, Statistics Department, in Periyar

University College of Arts and Science, Mettur, and direct the respondents to regularize the services of the petitioner and confer all the consequential benefits.

2. Heard Mr.C.Selvaraj, learned Senior Counsel appearing for the petitioner, Mr.P.Sanjay Gandhi, learned Additional Government Pleader for the first respondent and Mr.P.Isaac Mohanlal, learned counsel for the second respondent.

3. The issue involved in this writ petition has been dealt by this Court in W.P.Nos.35127 of 2014 etc. batch and by order dated 14.10.2015, this Court allowed the said batch of writ petitions on the following terms:

"16.....These writ petitions are allowed to the extent of quashing the impugned notification dated 09.12.2014 insofar the petitioners alone and a direction is issued to the respondents not to disturb the services of the petitioners and to regularise their service by granting the scale of pay, since they were appointed in the sanctioned posts, they possessed the requisite qualification prevailing at that time and they were selected by the duly constituted Selection Committee. I make it clear that the University can proceed with the impugned notification to make appointment in any other vacancies and there is no bar for the University to fill up those posts based on UGC Regulations 2009, as contended by them."

The aforesaid judgment squarely applies to the facts of the case in hand. Accordingly, this writ petition stands allowed on the same terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar/  
Vacation Officer.

gms/jbm

To

1The Secretary to Government  
Higher Education Department  
Secretariat, Chennai 600 009.

2.The Registrar  
Periyar University  
University Campus  
Periyar Palkalai Nagar  
Salem 636 011.

+1 cc to M/s.C.S.Associates, Advocates, sr.69755  
+1 cc to Government Pleader, sr.69772

+ 1 cc to Mr.P.Isaac Mohanlal, Advocate Sr 119 (11/1/16)

W.P.No.41007 of 2015

ksj co  
kra 30.12.2015



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