

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.4898 of 2015

Prof.I.Elangovan .. Petitioner

-vs-

- 1.The Chairman
University Grants Commission,
New Delhi.
- 2.The Secretary to Government,
Department of Higher Education,
Chennai.
- 3.The Vice Chancellor
Thiruvalluvar University,
Serkadu, Vellore. 632 115
- 4.The Thiruvalluvar University,
Rep. by its Registrar,
Serkadu, Vellore. 632 115 .. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issue of Writ of Certiorari to call for the records pertaining to the impugned resolution dated 09.10.2014 in Additional Agenda Item No.16 passed by the Syndicate of the 4th Respondent-University and quash the same.

For Petitioner : Mr.S.Sathia Chandran

For Respondents : Mr.P.R.Gopinathan for R-1
: Mr.K.Karthikeyan for R-2
: Mr.S.T.Rajan for R-4

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner, in a Public Interest Litigation, seeks to assail the Agenda Item passed in the 61st Meeting of the Syndicate of the Thiruvallur University / 4th respondent, dated 09.10.2014, in terms whereof two academic years had been granted to the teachers of the affiliated Arts and Science Colleges to complete the eligibility criteria, as per the U.G.C. norms to get qualification approval from the University. The petitioner specifically relies on para 3.3.0 and 3.3.1 of the U.G.C. Regulations of minimum qualifications for such appointment to contend that the initial appointment itself could not have been made without the requisite qualification and thus there is no question of giving further time to obtain those qualifications.

2. In respect of the aforesaid, learned counsel for the petitioner has invited our attention to the orders passed in W.P.No.32815 of 2013 from time to time, which was finally closed on 04.08.2014, in terms whereof both the University and the U.G.C. were to look into the matter of non-qualified teachers being appointed to different posts.

3. Learned counsel appearing for the U.G.C. submits that a Committee has been constituted to look into all the appointments processes and the matter is still in progress, as there are large number of records, which have to be brought to Chennai, where the scrutiny takes place. He submits that he will ensure that the process of scrutiny is expedited and then only would the final picture emerge. If any appointment does not meet the criteria of U.G.C. regulations, necessary consequences will follow.

4. In view of the aforesaid facts, we are not inclined to entertain the P.I.L. at this stage (leaving even the question of maintainability of P.I.L. open), but would require the U.G.C. and the University to carry on the task of scrutiny expeditiously. As per the request of the learned counsel for U.G.C., the University must bring the records on an urgent basis for scrutiny, as otherwise it will become an endless process. We would expect the University to co-operate and the U.G.C. to endeavour to complete the task preferably within six months.

5.Writ Petition stands closed with the aforesaid terms.
No costs. Consequently, M.P.Nos.1 and 2 of 2015 also stand closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

sra

To

- 1.The Chairman
University Grants Commission,
New Delhi.
- 2.The Secretary to Government,
Department of Higher Education,
Chennai.
- 3.The Vice Chancellor
Thiruvalluvar University,
Serkadu, Vellore.
- 4.The Registrar
Thiruvalluvar University,
Serkadu, Vellore.

- 1 cc to Mr.S.T. Rajan, Advocate, Sr. 10622
1 cc to Mr. Sathia Chandran, advocate, sr. 10034
1 cc to Government Pleader, sr. 10443

W.P.No.4898 of 2015

MG (CO)
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