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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

AND

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.8166 of 2011

Kochadai

... Petitioner

Vs.

1.The Secretary to Government,
Higher Education Department,
Fort St. George, Chennai - 9.

2.The Director of College Education,
Chennai.

3.The Principal
Hon'ble Rajas Government Arts College,
Pudukottai.

4.The Principal
Raja Doraisingam Government Arts College,
Sivagangai.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the appointment of 1661 guest lecturers in consolidated pay of Rs.6,000/- in G.O. No.(4D) No.2 dated 05.07.2011 passed by the first respondent and quash the same as illegal and consequently direct the respondents 1 and 2 to appoint the guest lecturers by following UGC Regulation with regard to the qualification of guest lecturers and their salary and following state Government's 69% reservation, following transparent mode of selection by giving state level advertisements and publish state level merit list.

For Petitioner : Mr.A.Periasamy

For RR - 1 to 4 : Mr.V.R.Shanmuganathan
Special Govt. Pleader

ORDER

(Order of the Court was made by **R. SUDHAKAR, J.**)

This writ petition has been filed praying to quash the proceedings passed by the first respondent in G.O. No.(4D) No.2 dated 05.07.2011 and consequently direct the respondents 1 and 2



to appoint guest lecturers by following UGC Regulation.

2.The respondents have filed a detailed counter, wherein at paragraphs - 7 and 8 it is clearly stated as follows:

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"7.With regard to averments made in paras 6, 7 and 8 of the affidavit, it is submitted that the Guest Lecturers are appointed by the principal of the college concerned according to the need of that college. Hence the principal gives news item in local newspapers and notice is also pasted in the college notice board inviting applications for the post of Guest Lecturers. As the appointment of Guest Lecturers is made by the principal in the respective college, wide publicity in newspapers is not necessary and it is also a fact that candidates from far off places do not evince interest to serve as Guest Lecturers in a far off place. It is also submitted that the Government is recruiting Lecturers on permanent basis year after year. The Guest Lecturers are engaged only as a stop gap arrangement. Their selection is transparent and there is no vested interest on the part of the principals of the concerned colleges.

8.With regard to averments made in grounds (a) to (e) of the affidavit, it is submitted that the Guest Lecturers are engaged purely on temporary basis. The Principals of the colleges have been permitted to select them based on the needs of the college. As the appointment of Guest Lecturers is made transparently, only more qualified persons alone can be selected. It is also submitted that U.G.C regulations with regard to qualifications and communal reservation are also followed by the principals. Only in cases where suitable candidates are not available, relaxation in qualification and communal reservation is given. It is pertinent to point out here that the appointment of Guest Lecturers is purely a temporary appointment which runs to a few months and hence there is no necessity to follow communal reservations."

3.Recording the same, this writ petition is closed. No costs. Connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar



To

1. The Secretary to Government,
Higher Education Department,
Fort St. George, Chennai - 9.
2. The Director of College Education,
Chennai.
3. The Principal
Hon'ble Rajas Government Arts College,
Pudukottai.
4. The Principal
Raja Doraisingam Government Arts College,
Sivagangai.

+1cc to Spl. Government Pleader Sr.No.54807
mj
AA/SKS-RR/05.10.2015/3p-6c/

W.P. (MD) No.8166 of 2011
15.09.2015