

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.1468 of 2016
& W.M.P.No.1223 of 2016

Dr.M.Gopi

.. Petitioner

Vs.

1.State of Tamil Nadu,
Rep.by its Secretary to Government,
Education Department,
Fort St.George, Chennai - 600 009.

2.Director of Collegiate Education,
College Road, Nungambakkam,
Chennai - 600 034.

3.The Secretary,
Kandasami Kandar's College,
Velur, Namakkal District.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Declaration, declaring the petitioner to be eligible for the post of Assistant Professor in Tamil in the third respondent college on the basis of his Post Graduate Degree M.A.[Tamil] with 57.95% marks and M.Phil[Tamil] with 69.33% marks and Ph.D-Tamil [Highly commended] and consequently direct the third respondent to consider the petitioner eligible for appointment to the post of Assistant Professor in Tamil in the third respondent College and call him for interview on 22.01.2016 and appoint him to the post of Assistant Professor in Tamil in the third respondent College.

For Petitioner : Mr.K.Sridhar
For Respondent Nos.1 & 2 : Mr.N.Roofus Abraham
Government Advocate

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that he has passed M.A. [Tamil] from the third respondent College in the year 2000-02 and M.Phil [Tamil] in August 2004 and also obtained Ph.D in Tamil in Pachappas College, University of Madras, Chennai. The petitioner would further claim that he is eligible to be appointed as Assistant Professor as per UGC norms. He is now serving as Assistant Professor in Tamil in the third respondent College and drawing a salary of Rs.4,000/- per month. The Government has sanctioned one post of Assistant Professor in Tamil in the third respondent College and if he is selected, he would get salary of Rs.50,000/-. The petitioner submitted his application on 30.12.2015. Since no positive order has been passed, the present Writ Petition has been filed by the petitioner.

3.Heard the submissions of Mr.K.Sridhar, learned counsel appearing for the petitioner and Mr.N.Roofus Abraham, learned Government Advocate, who accepts notice on behalf of the respondents 1 and 2.

4.Learned counsel appearing for the petitioner would contend that though the petitioner has filed the present Writ Petition for writ of declaration, it would suffice that if a direction is issued to the third respondent to consider the application of the petitioner in the light of the Certificate issued by the Periyar University, Salem dated 16.12.2015 whereby and whereunder the said University has given a Certificate stating that the petitioner is qualified for the post of Assistant Professor in Tamil.

5.This Court, taking into consideration the submissions of the learned counsel for the petitioner and without going into the merits of the same, directs the third respondent to consider the application of the petitioner dated 30.12.2015 and pass orders, on merits and in accordance with law, within a period of two 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. Consequently, connected Miscellaneous Petition is closed. No costs.

sd/-

Assistant Registrar(Cs-IV)

/TRUE COPY/

Sub-Assistant Registrar

sri

To

1.State of Tamil Nadu,
Rep.by its Secretary to Government,
Education Department,
Fort St.George, Chennai - 600 009.

2.Director of Collegiate Education,
College Road, Nungambakkam,
Chennai - 600 034.

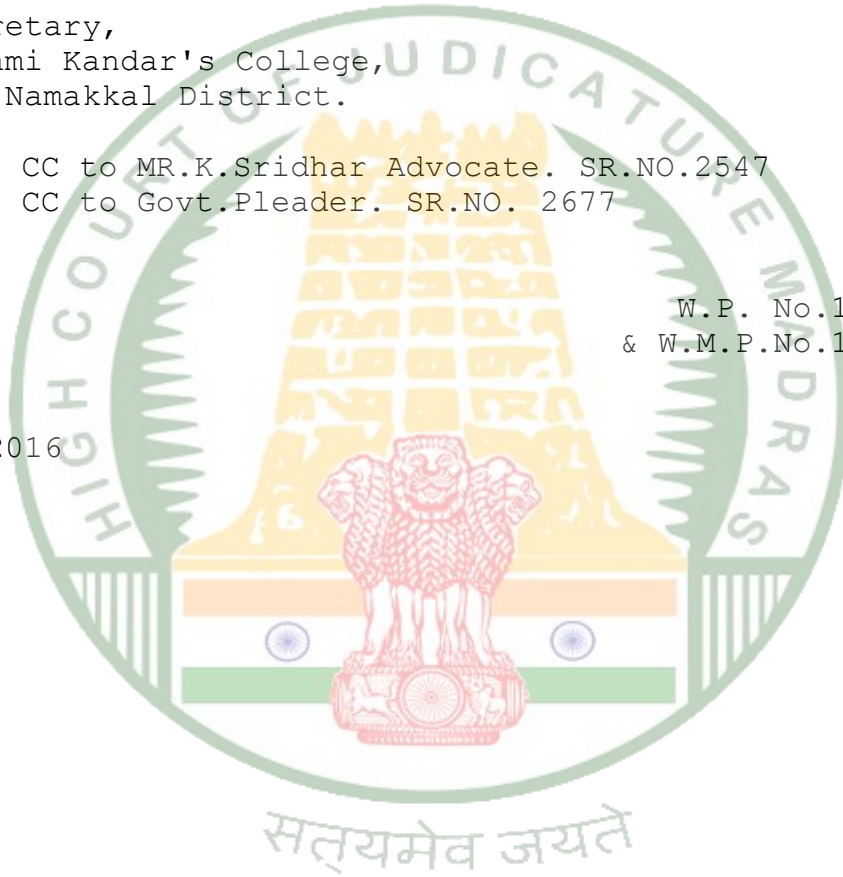
3.The Secretary,
Kandasami Kandar's College,
Velur, Namakkal District.

+1 CC to MR.K.Sridhar Advocate. SR.NO.2547

+1 CC to Govt.Pleader. SR.NO. 2677

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JD 19/01/2016



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