

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.15020 of 2015

& M.P.Nos.1 and 2 of 2015

Dr.G.Selvanathan

... Petitioner

Vs.

1. The Director of Collegiate Education,
College Road, Chennai-6.
2. The Secretary,
AVC College (Autonomous),
Mannampandal, Mayiladuthurai.
3. The Registrar,
Bharathidasan University, Trichy.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records of the second respondent in its Notification No.DP.No.97/2015-2016, dated 05.05.2015 and quash the same.

For Petitioner : Mr.V.Vijay Shankar

For Respondents : Mr.Mr.M.Dig Vijay Pandian,
Addl.G.P. for R-1

Mr.R.Suresh Kumar for
M/s.K.M.Vijayan Associates for R-2
Mr.N.G.R.Prasad for
M/s.Row & Reddy for R-3

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Certiorari to call for the records of the second respondent in its Notification No.DP.No.97/2015-2016, dated 05.05.2015 and quash the same.

2. In the affidavit filed in support of the Writ Petition, it is averred by the petitioner that he has completed M.Sc., M.Phil. and also Ph.D. in March 2000. He joined as Lecturer in Chemistry in the second respondent-AVC.College. After four years, he was promoted as Lecturer (Senior Scale) and after nine years, in 2009, he was elevated as Lecturer Selection Grade and this post was later re-designated as Assistant Professor. In 2012, he was promoted as Associate Professor and as such, he had been working in the second respondent-College. The petitioner further states that the second respondent-College is an autonomous College and NAAC Re-accredited "A" Grade institution and it is affiliated to the third respondent-Bharathidasan University. In respect of the appointment of teaching and other academic staff in Universities and Colleges, the UGC Regulations issued from time to time, should be followed. It is further stated by the petitioner that the third respondent-University and all its affiliated Colleges, including the second respondent-College, have been following the UGC Regulations for making appointment of teaching staff, such as Assistant Professor, Associate Professor, Principal, etc. It is further stated by the petitioner that even in 2013/2014, the second respondent-College filled up 20 vacancies in Assistant Professor grade by following UGC Regulations.

3. While so, it is the case of the petitioner that the second respondent-College issued the impugned order, vide Notification No.D.P.No.97/2015-2016, dated 05.05.2015 and called for applications from eligible persons for filling up the post of Principal of the College. It is the case of the petitioner that the said Notification is not in conformity with the UGC Regulations and the constitution of the Selection Committee is also not as per the UGC Regulations and without the approval of the governing body, which is the competent authority as per the UGC Regulations.

4. When the Writ Petition is taken up for hearing, learned counsel for the second respondent-College submitted that the College has decided to withdraw the impugned Notification, dated 05.05.2015 and decided to fill up the post only in conformity with the UGC Regulations issued from time to time.

5. In view of the above submission made by the learned counsel for the second respondent-College, there is no need to pass any specific order in this Writ Petition. Hence, while

recording the said submission of the learned counsel for the second respondent-College, the Writ Petition is closed. No costs. The Miscellaneous Petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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Copy to

1. The Director of Collegiate Education, College Road, Chennai-6.
2. The Secretary,
AVC College (Autonomous),
Mannampandal, Mayiladuthurai.
3. The Registrar, Bharathidasan University, Trichy.

+1 cc to the Government Pleader sr.13914
+1 cc to Mr.V.Vijay Shankar Advocate sr.14108
+1 cc to M/s.K.M.Vijayan Associates Advocate sr.13777

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