

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE HULUVADI G.RAMESH

AND

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.31639 of 2013

J.Ismail

...Petitioner

Vs

1.The Registrar General
High Court, Madras.
2.V.Subbulakshmi
3.T.Naga Dhanunjaya Rao
4.M.Venkudikshithulu

...Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified Mandamus calling for the records of the 1st respondent in connection with the impugned order passed by him in Roc.No.2340 (RG/2010/Estt.IV/B2; 2420 (RG)/2010/Estt.IV dated 17.10.2013 and quash the same and further direct the 1st respondent to grant ratification to the law degree obtained by the petitioner as done in the case of the respondents 2 to 4 and to grant him equal treatment at par with the respondents 2 to 4 and consequently promote the petitioner as Assistant Registrar with effect from the date on which the petitioner's juniors i.e., respondents 2 and 3 were promoted and grant all consequential service and monetary benefits and grant such other further relief.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.M.Baskar for R1
R2 to R4 notice served-No appearance

ORDER

(Order of the Court was made by HULUVADI G.RAMESH, J.)

Heard Mr.M.Muthappan, learned counsel for the petitioner and Mr.M.Baskar, learned counsel appearing for the 1st respondent-Registrar General, High Court.

2. The petitioner seeks to quash the order of the 1st respondent, wherein, his request for ratification of his action in having acquired/pursuing LL.B., degree through regular stream without obtaining prior permission from the Registry was rejected. The petitioner further seeks for a consequential direction to the 1st respondent to grant ratification to the law degree obtained by him, as done in the case of the respondents 2 to 4 and to grant him equal treatment at par with the respondents 2 to 4 and consequently promote him as Assistant Registrar with effect from the date on which the petitioner's juniors i.e., respondents 2 and 3 were promoted and grant all consequential service and monetary benefits and grant such other further relief.

3. We have given our anxious consideration to the averments made in the affidavit filed in support of the Writ Petition and also gone through the counter affidavit filed on behalf of the first respondent.

4. We are of the view that the petitioner's prayer seeking for ratification of the Law Degree obtained by him from Bangalore University, by pursuing his studies in Ram Manohar Lohia College of Law, Bangalore, for the purpose of consideration of his name for promotion to the post of Assistant Registrar cannot be entertained by this court, in view of the order dated 17.12.2014 passed in W.P.Nos.21542, 21744, 23624, 23625, 23759, 23760, 28877, 30553, 30700 of 2013 and W.P.(MD). No.14606 of 2013, wherein it is specifically observed that a serving officer cannot thus carry on his job and yet have degree obtained of a Full Time Degree Course; the two would be contradictory and would create a doubt on the degree itself.

5. In view of the above position, we decline to extend any relief to the petitioner herein and further his case cannot be considered for granting any other favour, at any stretch of imagination. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

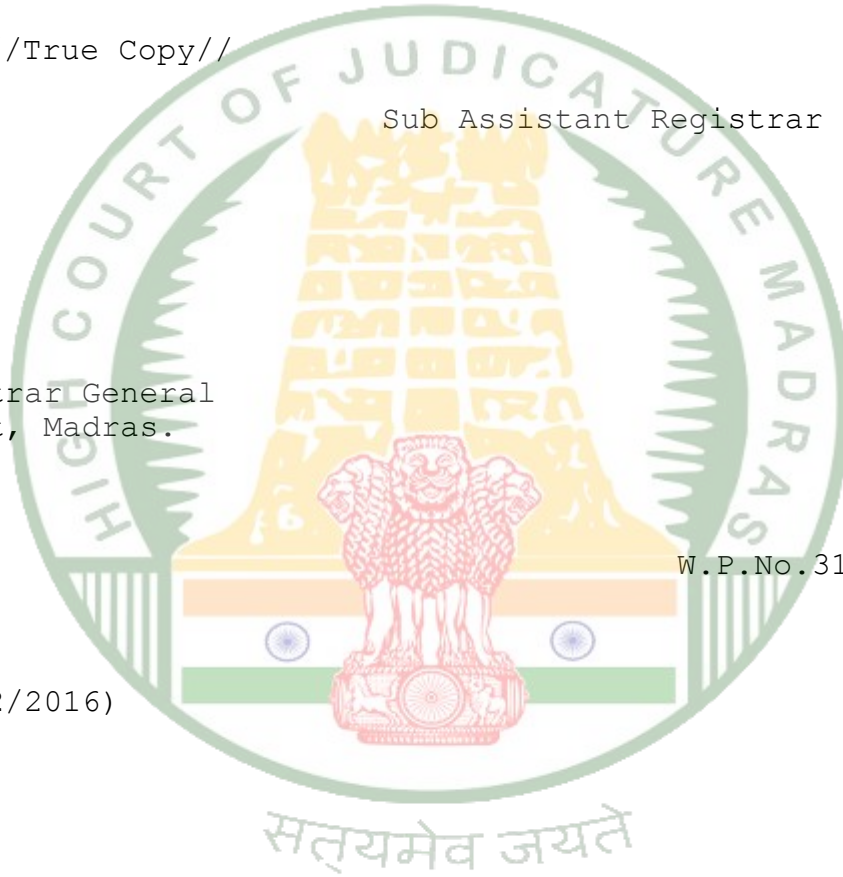
nvsri

To

The Registrar General
High Court, Madras.

W.P.No.31639 of 2013

VGI (CO)
PSI (28/12/2016)



WEB COPY