

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.07.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Appeal No.809 of 2016
and C.M.P.No.10633 of 2016

Dr.V.Vaidhyanathan
Asst. Professor,
Department of Economics,
Periyar University,
Salem - 636 011, Salem District. ... Appellant

Vs.

1.The University Grant Commission,
Rep. by its Secretary,
New Delhi.

2.The Periyar University,
Rep. by its Registrar,
University Campus,
Periyar Palkalai Nagar,
Salem - 636 011.

3.The Joint Director,
Collegiate Education,
Chennai Region,
Chennai - 600 015.

... Respondents

PRAYER : Writ Appeal filed under Article 15 of Letters Patent against the order dated 15.04.2016 made in W.P.No.13888 of 2016. Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the Second Respondent to count the past services of the Petitioner rendered as Lecturer/Assistant Professor in Economics at A.M.Jain College, Meenambakkam, Chennai, i.e. from 6th June 1993 to March 2001 (for the period of 6 years 7 months 15 days) along with service rendering in the Second respondent University for the career Advancement scheme as per the UGC Regulations 2010.

For Appellant : Mr.M.R.Jothimanian

For Respondent No.2 : Mr.P.Godson Swaminath

For Respondent No.3 : Mr.T.N.Rajagopal
Special Government Pleader

J U D G M E N T

[Judgment of the Court was delivered by HULUVADI G. RAMESH, J.]

Heard the learned counsel appearing for the appellant and the learned counsel appearing for the second respondent as well as the learned Special Government Pleader appearing for the third respondent.

2. This appeal is filed against the order of the learned single Judge, dated 15.04.2016, dismissing the Writ Petition filed by the petitioner prayed for a direction to the University / Registrar to count the past services of the petitioner rendered as Lecturer / Assistant Professor in Economics at A.M.Jain College, Meenambakkam, Chennai, from 6th June 1993 to March 2001 [for the period of 6 years 7 months 15 days] along with service rendered in the second respondent University for the Career Advancement Scheme as per the UGC Regulations 2010.

3. The learned counsel appearing for the University / second respondent would submit that the Certificate issued by the third respondent with regard to teaching experience, produced by the petitioner before the Registrar, cannot be taken into consideration in accordance with law.

4. It is the submission of the learned counsel appearing for the appellant that already the appellant has produced the said Certificate, which is pending consideration.

5. Since the petitioner has produced all necessary Certificates, including the Service Certificate, which is enclosed at page No.7 in the typed set of papers, issued by the Principal of A.M.Jain College, Meenambakkam, Chennai, with regard to teaching experience of the petitioner in the said College for more than 6 years, it is for the second respondent / University to consider the case of the appellant.

6. Accordingly, the second respondent / University is directed to consider the case of the appellant as per UGC Regulations 2010, and pass necessary orders, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this judgment. It is made clear that in

the event of his entitlement for the benefit, his seniority may be counted for the Career Advancement Scheme as per UGC Regulations 2010.

7. The Writ Appeal is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sri

To

1.The University Grant Commission,
Rep. by its Secretary,
New Delhi.

2.The Periyar University,
Rep. by its Registrar,
University Campus,
Periyar Palkalai Nagar,
Salem - 636 011.

3.The Joint Director,
Collegiate Education,
Chennai Region,
Chennai - 600 015.

1 cc to Mr.M.R.Jothimani, Advocate, sr.40685
1 cc to Mr.P.Godson Swaminath, Advocate, sr.40300
1 cc to Government Pleader, sr.41117

ad co
kra 02.08.2016

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