

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2016

CORAM

THE HON'BLE MR. JUSTICE B.RAJENDRAN

WP.No.29125 of 2016

Dr.V.S.Gowri

.. Petitioner

Vs.

The Registrar
College of Engineering
Anna University
Chennai-600 025.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondent to consider the representation of the petitioner, dated 13.03.2015, for appointment as suitable teaching staff within the stipulated time.

For Petitioner : Mr.Krishna Ravindran

For Respondent : Mr.L.P.Shanmughasundaram
Special Government Pleader

ORDER

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondent to consider the

representation of the petitioner, dated 13.03.2015, for appointment as suitable teaching staff within a time frame.

3. The petitioner joined the service of the respondent University in May, 1986, as a Technical Assistant at the Ocean Data Centre, which was later on upgraded to the Institute for Ocean Management. The petitioner had obtained Ph.D. Degree in Science and Humanities from the respondent University. The respondent issued a Circular in Lr.No.G.O./PR25/2000, dated 11.07.2000, regarding the appointment of non-teaching staff to teaching category. The petitioner made a representation to the respondent, on 30.08.2000, to consider her for appropriate teaching post. She made several representations in this regard. She received a Memo No.5462/PR21/02, dated 22.03.2006, from the respondent University informing her to apply for suitable faculty post as and when the advertisement is published by the University in the leading newspapers notifying the vacancy position. While so, in the year 2007, M.Tech in Coastal Management course was started at Institute of Ocean Management, for which, the petitioner was asked to handle some of the classes for some subjects. During 2009, the

petitioner was teaching for students of some Engineering Branch. The petitioner was also appointed as question paper setter and evaluator. The respondent again floated Open Advertisement in the year 2014 and the petitioner applied for the same, but, she was not selected. The grievance of the petitioner is that though, she is fully qualified candidate for the faculty post, her request for re-designating from the post of Technical Assistant to "Lecturer" was never considered and in this regard, she has made a representation on 13.03.2015, but, till date, there is no response. Hence, the present Writ Petition has been filed seeking the relief stated supra.

4. Mr.Krishna Ravindran, the learned counsel for the petitioner would submit that though, the petitioner originally joined as Technical Assistant, subsequently, she has completed Ph.D. and she has been working in the University for nearly 30 years and she has been teaching the interdisciplinary subjects, and hence, she has requested the respondent to accommodate her as regular teaching staff, but, that has not been done. Though, her pay scale is also increased and paid in the scale of teacher, her grievance is that she is not given the nomenclature

as teaching staff, therefore, she has made a representation on 13.03.2015, but, till date, no order has been passed.

5.Mr.L.P.Shanmughasundaram, the learned Special Government Pleader, who took notice on behalf of the respondent, would submit that the respondent will consider the representation of the petitioner, dated 13.03.2015, and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, since, the petitioner is going to retire from service this year.

6. Suffice it to state that here is a person, who has got all the qualification, and who has already been given the same scale of pay as teaching staff and if she is recognized as "teaching staff", she will get two more years in service also, I am of the considered opinion that this is a fittest case, where the respondent should consider the representation of the petitioner, dated 13.03.2015, and pass orders, on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of with the above direction.

There shall be no order as to costs.

22.08.2016

Index : Yes / No

Internet : Yes / No

paa

To

The Registrar
College of Engineering
Anna University
Chennai-600 025.

B.RAJENDRAN,J

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