

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.30074 of 2017

S.Mageswari

.. Petitioner

-vs-

1. Secretary to Government
Government of Tamil Nadu
Department of Tamil
Development Art and Culture
Fort St.George
Chennai 600 009
 2. The Commissioner Art and Culture
Egmore
Chennai 600 008
 3. The Principal
Tamil Nadu Government Music College
D.G.S.Dinakaran Salai
Chennai 600 028
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first and second respondents to consider the petitioner's representation dated 30.10.2017 within a time frame fixed by this Hon'ble Court.

For Petitioner :: Mr.T.Karunakaran

For Respondents :: Mr.R.A.S.Senthilvel
Additional Government Pleader

ORDER

This writ petition has been filed seeking a mandamus to the first respondent to consider the representation of the petitioner dated 30.10.2017.

2. Learned counsel for the petitioner submitted that after completing M.A.(Music) with first class in May, 2007, Diploma in Bharathanatyam in May, 2007, one another Diploma in Music Teacher Training in May, 2008 and M.Phil (Fine Arts) with first

class in November, 2009, the petitioner was appointed as part-time Lecturer/Professor on contract basis to take classes for B.Tech and Bachelor of Fine Arts students in the Government Architect and Sculpture College, Mamallapuram, Kancheepuram District in the retirement vacancy of one Mr.B.Srinivasan, who was working as Lecturer. Subsequently, she joined the Tamil Nadu Government Music College, the third respondent herein as Lecturer on contract basis and has been continuing after regular break. In the meanwhile, the petitioner is also said to have completed her Ph.D. The petitioner has given various representations along with acknowledgment requesting to regularise her services. But the respondents have not taken note of the continuous representation and the request made by the petitioner for her regularisation. Therefore, she has been advised to come to this Court.

3. But this Court is unable to entertain the writ petition. The reason being that the petitioner has not averred in the affidavit filed in support of the writ petition whether she has passed the NET/SLET/SET, which is a compulsory requirement for appointment of Lecturer/Assistant Professor, irrespective of the petitioner possessing degree in M.Phil or Ph.D., as held by the Apex Court in P.Susheela and others v. University Grants Commission and others, (2015) 8 SCC 129. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Secretary to Government
Department of Tamil
Development, Art and Culture
Fort St.George
Chennai 600 009
2. The Commissioner-Art and Culture
Egmore
Chennai 600 008

3. The Principal
Tamil Nadu Government Music College
D.G.S.Dinakaran Salai
Chennai 600 028

+1 cc to Govt Pleader sr 84237
+1 cc ot Mr.T.Karthikeyan Advocate sr 83484

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