



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.(MD)No.21360 of 2017

M.Venkatesan

... Petitioner

Vs.

1.The Principal Secretary to Government,
Higher Education Department,
Fort St.George, Secretariat,
Chennai-600 009.

2.The Director of Technical Education,
Chennai.

3.The Registrar,
Anna University,
Guindy, Chennai-600 025.

4.The Director,
Constituent Colleges,
Anna University, Guindy,
Chennai-600 025.

...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the third respondent to grant absorption to the petitioner as Assistant Professor in the Department of Mechanical Engineering at University College of Engineering, Nagercoil w.e.f. 23.08.2012 viz., the date of completion of probation, with all monetary and other attendant and service benefits by implementing the G.O.(Ms)No.452 dated 20.10.2015 and G.O.(Ms)No.119 dated 12.05.2017 on the basis of the petitioner's representation dated 03.07.2017.

For Petitioner	:	Mr.S.Deenadhayalan
For R1 & R2	:	Mr.A.K.Baskara Pandian, Special Government Pleader.
For R3 & R4	:	Mr.M.Rajarajan

O R D E R

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the third respondent to grant absorption to the petitioner as Assistant Professor in the Department of Mechanical Engineering at University College of Engineering, Nagercoil w.e.f. 23.08.2012 viz., the date of completion of probation, with all



monetary and other attendant and service benefits by implementing the G.O.(Ms)No.452 dated 20.10.2015 and G.O.(Ms)No.119 dated 12.05.2017 on the basis of the petitioner's representation dated 03.07.2017.

2. Heard Mr.S.Deenadhayalan, learned counsel appearing for the petitioner, Mr.A.K.Baskara Pandian, learned Special Government Pleader, who takes notice on behalf of the respondents 1 & 2 and Mr.M.Rajarajan, learned counsel, who takes notice on behalf of the respondents 3 & 4. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the respondents 3 and 4 submits that by G.O.(Ms)No.91, Higher Education (11) Department, dated 14.07.2017, the Government of Tamil Nadu has constituted a committee of officers to examine improper appointment both teaching and non-teaching staff made by the erstwhile Anna Universities of Technology and would submit a report to the Government in the matter at the earliest. It is pointed out that the case of the petitioner falls under the category of excess Pay Anomaly / improper appointment, which would be examined by the said committee and that the aforesaid representation of the petitioner would be placed before that committee and the matter examined and the decision taken thereon by the Competent Authority shall be communicated to the petitioner.

4. Recording the said submission, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(A.E)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Higher Education Department,
Fort St. George, Secretariat,
Chennai-600 009.

2. The Director of Technical Education,
Chennai.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 89295

+1cc to Mr.M.RAJARAJAN Advocate in SR. No. 88974

+1cc to Mr.S.DEENADHAYALAN Advocate in SR. No. 88721

MYR

JS/SKN.RSK/SAR.1/20.12.2017/2P-6C