

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.3215 of 2016

ORDER

Challenging the order dated 7.1.2016 appointing the 4th respondent as Head of the Department of Photography, the present writ petition is filed.

The petitioner is working as Head of the Assistant Professor and Head of the Department in the 1st respondent-Jawaharlal Nehru Architecture and Fine Arts University. It is stated that the 4th respondent worked as Controller of Examinations and Registrar and came back to the 1st respondent-University. Thereafter, he approached the 3rd respondent-State Minorities Commission by lodging a complaint alleging certain irregularities committed by the University. Instead of submitting reply, the 1st respondent *vide* proceedings dated 7.1.2016 replaced the petitioner with the 4th respondent as Head of the Department. In those circumstances, the present writ petition was filed.

Learned counsel for the 1st respondent submits that the post of Head of the Department is a rotation post and the Head of the Department would be appointed by the Vice Chancellor by following the rules of the University. He further submits that by virtue of the interim order granted by this Court on 19.10.2016 in WPMP No.4089 of 2016, the petitioner continued in the said post for more than 18 months.

In view of the interim order granted by this Court, pursuant to which the petitioner continued as Head of the Department, the Writ Petition is allowed by setting aside the impugned order dated 7.1.2016. However, the 1st respondent is at liberty to take appropriate action on the issue relating to the appointment of the Head of the Department by taking into consideration the over all circumstances, in accordance with law.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

9th November, 2017
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