

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5145 of 2017

=====

Dr. S. Johnson Neethirajan, Son of V. Shanonuga Kani, 22/714, 27th Street, Shanthi Nagar, Palayam Kottai, (P.O.) Police Station- Tiranel Veli (District)- Tamil Nadu at present posted as Regional Director, Indira Gandhi National Open University, Bhagalpur, Bihar. Petitioner/s

Versus

1. The Union of India through its Secretary (Higher Education), Ministry of Human Resource Development Department, Shastri Bhawan, New Delhi-1.
 2. The Indira Gandhi National Open University through its Registrar (Administration), Maidan Garhi, New Delhi- 110068.
 3. The Board of Management through its Chairman, Indira Gandhi National Open University, Maidan Garhi- 110068.
 4. The Director (Academic Co-ordination Division), Indira Gandhi National Open University, Maidan Garhi- 110068.
 5. The Director (Regional Services Division), Indira Gandhi National Open University, Maidan Garhi- 110068.
 6. The Vice Chancellor, IGNOU, through the Regional Director of its Regional Centre, Patna. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate
Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. S. D. Sanjay (Addl. Soc. Gen.)
Ms. Kanak Verma, CGC

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 30-03-2018

Heard learned counsel for the petitioner and State.

Learned counsel for the petitioner with reference to Annexure-34, the policy decision of transfer for Academics dated 15.12.2017, submits that the policy for transfer is very clear that Regional Directors will be posted at the Regional Centers first and thereafter if a vacancy is still available, the University would post a Deputy Director as the Regional Director of the Centre.

In view of the transfer policy, learned counsel for the



petitioner is permitted to file exhaustive representation before the Vice-Chancellor, Indira Gandhi National Open University. In case, such representation is filed by the petitioner along with a copy of this order, the Vice-Chancellor of the University is required to consider the representation objectively and pass appropriate order in the matter of posting of the petitioner in accordance with their policy decision and the Vice-Chancellor may also consider that the petitioner may not be subjected to posting under any junior to the petitioner. The Court hopes and trusts that necessary decision in this regard must be taken by the Vice-Chancellor preferably within a period of 30 days from the date of receipt of representation.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.04.2018
Transmission Date	

