

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.A.No.1209 of 2018
and C.M.P.No.9849 of 2018

Dr.K.S.Sridhar

... Appellant

-vs-

- 1.The State of Tamil Nadu
rep.by its Principal Secretary to Government,
Higher Education Department, Fort St.George,
Chennai-600 009.
 - 2.The Vice Chancellor,
University of Madras,
Chepauk,
Chennai-600 005.
 - 3.Pachiyappa's Trust Board
rep.by its Member Secretary,
Pachiyappa's Trust Board Office,
Pachiyappa's College,
Chennai-600 030.
 - 4.Directorate of Collegiate Education,
Office of the Director of Collegiate Education,
9th Floor, E.V.K.Sampath Buildings,
College Road, Chennai-600 006.
 - 5.The Selection Committee
rep.by its Chairman,
Pachiyappa's Trust Board Office,
Pachiyappa's College,
Chennai-600 030.
- ... Respondents

Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court in W.M.P.No.14136 of 2018 in W.P.No.12126 of 2018 dated 24.05.2018.

Petition Praying that in These Circumstances stated therein and in the affidavits filed therewith the High Court will be pleased to

Prayer in WMP.14136 of 2018:-

Grant an order of stay fowards all Further Proceedings of the impugned circular of the 3rd respondent dated 20.04.2018 in impugned Proceedings No.Rc.No.A1/682/2018 Pending disposal of writ Petition.

Prayer in WP.12126/2018

To issue a writ of certiorarified Mandamus to call for the records in Connection with the impugned circular of the 3rd Respondent dt.20/04/2018 in Proceedings Rc.No.A1/682/2018 and quash the same as illegal arbitrary and not binding on the Petitioners and Consequently direct the 3rd Respondent to issue a fresh notification in accordance with the regulation of the university Grants.

For Appellant : Mr.C.Singaravelan, Sr.Counsel
for Mr.V.Srinath

For Respondents: Mr.C.Munusamy, Spl.GP for R1
Mr.L.P.Shanmugasundaram,
Standing Counsel for R2

JUDGMENT

(Delivered by HULUVADI G.RAMESH, J.)

The matter is with regard to appointment of Principal in the colleges run by the Pachaiyappa's Trust Board. Contending that the guidelines framed by the University Grants Commission was not adhered to while issuing the Circular dated 20.04.2018 in Rc.No.A1/682/2018 by the third respondent, calling for applications to fill up vacancies arising for the post of Principal in four colleges, among the six colleges run by the Pachaiyappa's Trust Board, writ petitions were filed in W.P.Nos.12126 to 12129 of 2018 and this Court passed an interim order in the interlocutory applications filed along with the writ petitions, directing the respondents therein not to proceed further until 30.05.2018. Challenging the said order, the present appeal is filed only in respect of W.P.No.14136 of 2018.

2.The learned senior counsel appearing for the appellant relied upon the judgment of this Court in W.A.No.1222 of 2015

dated 22.06.2017 and submitted that the post of regular Principal in the colleges in question have to be filled up only by following the UGC Regulations, 2010.

3.We have heard the learned senior counsel for the appellant, learned Special Government Pleader appearing for the first respondent and the learned Standing Counsel for the second respondent.

4.This appeal has been filed only against the interim order passed by this Court. For the purpose of taking a decision in the matter, all the contentions have to be heard. This Court cannot hear the arguments on a piece-meal basis to arrive at a decision in respect of the order passed in the interim application. Hence, we direct the parties to appear before the learned single Judge by filing counter and pleadings and we request the learned single Judge to dispose of the writ petition on merits within a period of two months. All the contentions are left open to the parties to be urged before the learned single Judge.

5.The writ appeal is disposed of accordingly. No costs. Consequently the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KM

To

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
Higher Education Department, Fort St.George,
Chennai-600 009.
- 2.The Vice Chancellor,
University of Madras,
Chepauk,
Chennai-600 005.
3. Directorate of Collegiate Education,
Office of the Director of Collegiate Education,
9th Floor, E.V.K.Sampath Buildings,
College Road, Chennai-600 006.

4. The Selection Committee
rep.by its Chairman,
Pachiyappa's Trust Board Office,
Pachiyappa's College,
Chennai-600 030.

copy to

The Section Officer
Writ Section
High Court, Madras.

+1cc to Mr.V.Srinath, Advocate, S.R.No.35742

W.A.No.1209 of 2018
and C.M.P.No.9849 of 2018

SS(CO)
GSP(29/06/2018)



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