

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.08.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22429 of 2017

Dr.M.Sivakumar

..Petitioner

vs

The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 28.06.2017 and 01.08.2017 for extension of his services as Assistant Professor till the end of the academic year in accordance with law within a stipulated time.

For Petitioner : Mr.K.Anbarasan

For Respondent : Mr.P.Godson Swaminath
for M/s.Isaac Chambers

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondent to consider the petitioner's representation dated 28.06.2017 and 01.08.2017 for extension of his services as Assistant Professor till the end of the academic year.

2.The learned counsel for the writ petitioner made a submission that the writ petitioner was working as Assistant Professor in Annamalai University and retired from service on 31.07.2011 on attaining the age of superannuation.

3.The grievance of the writ petitioner is that the similarly placed Assistant Professors are granted with the extension of service till the end of the Academic year, the same benefit has not been extended to the writ petitioner, despite

the fact that he is fully qualified for extension of service till the end of the Academic year.

4.The learned counsel for the respondent states that the Academic Period already ended and the case of the writ petitioner cannot be considered at this point of time and therefore, the writ petition is to be rejected.

5.This Court is of an opinion that extension of service can never be claimed as a matter of legal right. Extension of service beyond the date of retirement has to be considered only based on the service records and based on the terms and conditions stipulated in the Government orders and the rules in force. Thus, the writ petitioner cannot say that the extension of service was granted to another person and the same has not been extended to him. Even otherwise, the claim of the writ petitioner is to extend his services till the end of the Academic year i.e., 2017-2018. The Academic year had already ended in May 2018 and therefore, even the relief as such sought for to consider the representation cannot be granted as the period as claimed by the writ petitioner has already expired. Thus, no further adjudication is required in this writ petition.

6.Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram.

+lcc to Mr.K.Anbarasan, Advocate Sr.55615
+lcc to M/S.Isaac Chambers, Advocate Sr.55922

W.P.No.22429 of 2017

srg 28/08/2018