

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.33343 of 2017

and

W.M.P.No.36786 and 36787 of 2017

R.Revathi

... Petitioner

Vs

1.The Govt. of Tamil Nadu,
Rep. by its Secretary to Government,
Higher Education Department,
Fort St. George, Chennai 600 009.

2.The Commissioner of Technical Education,
Office of the Directorate of
Technical Education (DoTE)
Guindy, Chennai 600 025.

3.All India Council for Technical Education,
Rep. by its Member Secretary,
Nelson Mandela Marg,
Vasanth Kunj, New Delhi - 110 067.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to to issue a Writ of Mandamus to direct the Respondents 1 and 2 to promote only HoDs/upgraded HoDs having Ph.D., qualification with required number of teaching experience while filling up the posts of Principals in various Government Polytechnic Colleges in the State of Tamil Nadu for 2017-2018 or thereafter strictly following the guidelines/recommendations of AICTE, the 3rd respondent herein.

For Petitioner : Mr.S.Silambanan
Senior counsel
for Kavya Silambanan Asso

For Respondents: Mrs.P.Rajalakshmi (for R1 & R2)
Additional Government Pleader

O R D E R

This Writ Petition has been filed by Mrs.R.Revathi, who is serving as HOD from 09.12.2017 with Ph.D., qualification in Government Polytechnic College, Coimbatore, seeking a direction, directing the respondents 1 and 2 to promote only HoDs/upgraded HoDs having Ph.D., qualification with required number of teaching experience, while filling up the posts of Principals in various Government Polytechnic Colleges in the State of Tamil Nadu for 2017-2018 and thereafter, strictly following the guidelines/recommendations of AICTE.

2. Mr.Silambanan, learned Senior Counsel appearing for the petitioner submitted that the petitioner joined the Government Service as Instructor in Government Polytechnic College, Coimbatore on 29.9.1988 and thereafter, promoted as Lecturer on 19.8.1989 and then upgraded as Senior Lecturer on 9.12.1999. Thereafter, the petitioner was upgraded as Head of Department on 9.12.2007. While so, when the petitioner is eligible for promotion as Principal as she was upgraded as HOD on 09.12.2007 and also has put in 10 years of service in the upgraded HOD from 09.12.2007 to 09.12.2017, the respondents have included the names of the persons, who have not even acquired Ph.D., qualification in the panel for promotion to the post of Principal. In this regard, the petitioner has given representations to the respondents on 10.8.2017 and 17.10.2017. But there is no response for the same. Hence the present Writ Petition.

3. After taking notice Mrs.P.Rajalakshmi, Additional Government Pleader, appearing for the respondents 1 and 2, producing a letter of the 2nd respondent dated 12.1.2018 submitted that the petitioner's name is included in the proposal sent to the Government for promotion to the post of Principals at Sl.No.54, and the proposal is awaiting orders and recording the same, the writ petition may be disposed of.

4. Joining hands with the above said submission of the learned Additional Government Pleader for the respondents 1 and 2, the learned Senior Counsel for the petitioner submitted that recording the above submission, this writ petition may be disposed of.

5. In view of the fact that the name of the petitioner has already been listed at Sl.No.54 in the proposal sent by the 2nd respondent to the Government for promotion to the post of Principal, this Court finds no justification to keep this writ

petition pending. Therefore, recording the submission of the learned Additional Government Advocate appearing for the respondents 1 and 2, this Writ Petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

sai / tsi

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Higher Education Department,
Fort St. George, Chennai 600 009.
- 2.The Commissioner of Technical Education,
Office of the Directorate of Technical Education (DoTE)
Guindy, Chennai 600 025.
- 3.The Member Secretary,
All India Council for Technical Education,
Nelson Mandela Marg,
Vasanth Kunj, New Delhi - 110 067.

+ 1 cc to M/s. Kaavya Silambanan Associates SR.5646

+ 1 cc to MR. Government Pleader Sr.5808

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NRK(CO)
EU(15/02/2018)

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