

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2018

CORAM:
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.13430 of 2018

Ganapathi Educational Trust,
rep. by its Chairman,
Nalli Kuppuswami Chetti,
Managing Trust,
Meenakshi College for Women (Autonomous)
363, Arcot Road, Kodambakkam,
Chennai 600 024.

... Petitioner

Vs.

1. The Directorate of Collegiate Education,
9th Floor, EVK Sampath Buildings,
College Road,
Chennai 600 006.
2. The University of Madras,
represented by the Registrar,
Centenary Building,
Chepauk, Chennai 600 005.
3. University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi - 110 002.
4. State of Tamil Nadu,
rep. by the Department of Higher Education,
9th Floor, EVK Sampath Buildings,
College Road,
Chennai 600 006.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records of the Letter vide Na.Ka.No.21663/G3/2011, dated 08.05.2018, (received on 19.05.2018) issued by the 1st Respondent to the Petitioner and to quash the same.

For Petitioner : Ms.Akshaya Ramadurai
for M/s.R.Parthasarathy

For Respondents 1 & 4: Mr.C.Munusamy,
Special Government Pleader
For 2nd Respondent : Mr.Stalin Abhimanyu
For 3rd Respondent : Mr.P.R.Gopinathan

O R D E R

Petitioner has come up with the present Writ Petition seeking to quash the proceedings of the 1st Respondent vide Na.Ka.No.21663/G3/2011, dated 08.05.2018.

2. According to the Petitioner, they are the governing Trust of Meenakshi College for Women (Autonomous) located in Kodambakkam, Chennai. It is the case of the Petitioner/Trust that they selected 24 Faculty members against 25 Teaching posts, but they were shocked to receive a communication dated 08.05.2018 from the 1st Respondent, whereby, all 25 Teaching posts that were sanctioned for the said College were withdrawn.

3. According to the learned Special Government Pleader appearing for Respondents 1 and 4, time granted to the Petitioner/Trust has already expired and that the Petitioner/Trust has no locus to select and appoint 25 Faculty members.

4. Heard the learned counsel for the parties and perused the material documents available on record.

5. Since the Petitioner/Trust selected 24 Faculty members for 25 posts, it is open to Meenakshi College for Women (Autonomous), Kodambakkam, Chennai to utilize their services, which is however, subject to the approval of the Government, for which, a fresh application need to be submitted to the authority concerned within a period of one month from the date of receipt of a copy of the order and on receipt of such application, the authority concerned shall pass necessary orders in accordance with law, within a period of one month, if there are no legal impediments.

6. This Court makes it very clear that if no application is made within the time stipulated supra, the Petitioner/Trust cannot seek any indulgence to continue with the selected Teachers.

The Writ Petition is disposed of with the above direction. No costs. Consequently, connected W.M.P.Nos.15824 and 15825 of 2018 are closed.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

(aeb)

To:

1. The Directorate of Collegiate Education,
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2. The Registrar,
The University of Madras,
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9th Floor, EVK Sampath Buildings,
College Road,
Chennai 600 006.

+1 CC to Govt. Pleader sr 50775.
+1 CC to Mr.Stalin Abhimanyu, Advocate sr 50722.
+1 CC to Mr.P.R.Gopinathan, Advocate sr 51145
+1 CC to M/s.R. Parthasarathy, Advocate sr 50591.

W.P.No.13430 of 2018

KAN (CO)
SP (14/08/2018)

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