

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.11737 of 2013

And

M.P.No.1 of 2013

N.Sumithra

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Petitioner

Vs.

1. The Directorate of Collegiate Education,
Chennai - 600 006.

2. The Principal,
Government Arts College,
Udhagamandalam - 643 002.

3. Ms. Radha,
W/o. Maheshwaran,
Guest Lecturer - Zoology,
Government Arts College,
Udagamandalam - 643 002.

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Respondents

PRAYER:

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent forthwith cancel the appointment of third respondent as Guest Lecturer, Zoology and to consequently to consider the claim of the petitioner for the said post.

For Petitioner :: Mr.K.V.Sajeev Kumar for
M/s. Royan Law Associates
For R1 & R2 :: Mr.K.Karthikeyan
Government Advocate
For R3 :: No appearance

O R D E R

The relief sought for is to direct the second respondent forthwith to cancel the appointment of the third respondent as Guest Lecturer, Zoology and consequently to consider the claim of the writ petitioner for the said post.

2. Admittedly, the third respondent had been appointed as a Guest Lecturer in Zoology Department in Government Arts College, Udagamandalam. It is not made clear that the services of the third respondent had been regularized or not. The third respondent had been appointed only on temporary basis as Guest Lecturer.

3. All permanent appointments are to be made only in accordance with the Recruitment Rules in force. Whenever, the process of appointment for regular sanctioned post is undertaken, it is for the Competent Authorities to follow the Rules in force by providing an equal opportunity to all the eligible persons including the writ petitioner. However, the appointment of the third respondent as Guest Lecturer is only on temporary basis and it is not made clear whether the third respondent has continuing as Guest Lecturer as of now.

4. In this view of the matter, no further adjudication needs to be undertaken in respect of the grounds raised in this writ petition. It is left open to the writ petitioner to participate in the regular process of selection for appointment, if any, notified by the Competent Authorities for appointment to the post of Lecturer in a sanctioned post. This being the view of this Court and no further adjudication needs to be undertaken in this writ petition.

5. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Directorate of Collegiate Education,
Chennai - 600 006.
2. The Principal,
Government Arts College,
Udhagamandalam - 643 002.

W.P.No.11737 of 2013
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BS (Co)
CS/23/07/18