

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 09.11.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NO. 29628 OF 2018

AND

W.M.P. NOS. 34596 AND 34599 OF 2018

Dr. V.Valluvaparidasan

.. Petitioner

- Vs -

1. The Agricultural Production Commissioner
& Prl. Secretary to Government
Agricultural Department
State of Tamil Nadu
Secretariat, Fort St. George
Chennai 600 009.
2. The Search Committee for
Selection of Vice Chancellor to
Tamil Nadu Agricultural University
rep. by its Convenor, Dr. K.P.Viswanatha
Vice-Chancellor, Mahatma Phule
Krishi Vidyapeeth, Rahuri District
Ahmed Nagar, Maharashtra.
3. Dr. G.Rathinasabapathy
Nodal Officer
Search Committee for
Selection of Vice-Chancellor to
Tamil Nadu Agricultural University
Officer of the Chief Engineer
Agricultural Engineering Dept. Campus
No.487, Anna Salai, Nandanam
Chennai 600 035.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus forbearing the 2nd and 3rd respondents, their officers, employees, subordinates, agents or any other person(s) claiming and/or acting under them from in any manner proceeding with the conduct of the interview by the 2nd respondent committee for recommending to the Chancellor a panel of three names for the post of Vice

Chancellor of the Tamil Nadu Agricultural University, without first considering and passing orders on the petitioner's representations dated 5.11.18 followed by further representations dated 6.11.18, 7.11.18 addressed to the Chancellor and email representation dated 8.11.18 addressed to the 2nd respondent.

For Petitioner : Mr. Vishnu Mohan

For Respondents : Mr. S.R.Rajagopal, AAG, assisted by
Mr. Jayaprakash Narayanan, GP for RR-2 & 3
Mr. A.N.Thambidurai, Spl. GP for R-1

ORDER

The writ petition has been filed by the petitioner praying for a writ of prohibition restraining respondents 2 and 3 from conducting the interview unless and until the representations submitted by the petitioner dated 5.11.18 followed by 6.11.18, 7.11.18 and the email representation dated 8.11.18 are considered.

2. When the matter is taken up today for hearing, learned Addl. Advocate General appearing for respondents 2 and 3, on instructions, submitted that there were 55 applications out of which the names of 11 persons have been shortlisted. It is also submitted that the 11 candidates, whose names have been shortlisted are better qualified than the petitioner herein and that the shortlisting of the 11 persons were made in terms of the parameters prescribed and, therefore, the discretion exercised by the Search Committee cannot be questioned at this stage.

3. This Court heard the learned counsel appearing for the petitioner on the above contentions.

4. Considering the submissions as advanced by the learned counsel on either side, this Court is of the view that the prayer, as sought for by the petitioner, cannot be granted at this stage. However, the petitioner could be granted liberty to challenge the ultimate selection, which would serve the ends of justice. So far as the consideration of the representations submitted by the petitioner is concerned, on instructions, it is represented that the representations of the petitioner were also taken note of.

5. In the above circumstances, this writ petition is closed granting liberty to the petitioner to challenge the ultimate

selection, if so advised. Consequently, connected miscellaneous petitions are closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

GLN

To

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& Prl. Secretary to Government
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+1cc to Government Pleader SR.No.77037

W.P. NO.29628 OF 2018

JP (CO)

GMV (27/11/2018)