



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.14686 of 2011

and

MP(MD)No.1 of 2011

N.Jayanthi

... Petitioner

Vs.

1.The Joint Director of College Education,
Tirunelveli Region,
Tirunelveli.

2.The Correspondent,
Women's Christian College,
Nagercoil,
Kanyakumari District.

3.The Chairman,
Governing Board,
Women's Christian College,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to consider the representation of the petitioner dated 13.12.2011 and appoint her to the post of Lecturer in Economics of the 2nd respondent Women's Christian College, Nagercoil.

For Petitioner

: Mr.R.Muthukrishnan

For Respondents

: Mrs.VPM.Vaishnavi Devi,
Government Advocate

For R1, Mr.K.Sreekumaran Nair

For R2&R3

ORDER

The relief sought for in this writ petition is for a direction to direct the respondents 2 and 3 as per the representation of the writ petitioner dated 13.12.2011 and appoint her to the post of Lecturer in Economics in the Women's Christian College, Nagercoil.

2.The prayer as such is absolutely misconceived. Appointment to the post of Lecturer has to be made only by following the recruitment rules in force as per University Grants Commission's regulations in this regard. The minimum educational qualification prescribed under the University Grants Commission's regulations are to be followed scrupulously by the competent authorities, while undertaking the process of recruitment to the post of Lecturer,

Assistant Profession or any other post in the colleges.

3.The learned counsel for the writ petitioner states that the writ petitioner is now working as a full time Lecturer with effect from the year 2005 and pleads that the post of Assistant Professor is vacant and therefore the writ petitioner is eligible to be accommodated in the post of Assistant Professor. It is needles to state that the post of Assistant Professor has to be filled up in accordance with the Rules and there cannot be any deviation of rules in force. It is for the competent authorities to conduct the process of law and appoint the person in accordance with law. By merely filing the writ petition, the writ petitioner cannot seek appointment to the post of Assistant Professor nor pray for a direction to consider her representation in this regard. Whenever the notification is issued for recruitment to the post of Assistant Professor, it is left open to the writ petitioner to participate in the process of selection and get selected in accordance with law.

4.Accordingly, the writ petition stands dismissed. However, there shall be no orders as to costs. Consequently, MP(MD)No.1 of 2011 is closed.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1.The Joint Director of College Education,
Tirunelveli Region,
Tirunelveli.

2.The Correspondent,
Women's Christian College,
Nagercoil,
Kanyakumari District.

3.The Chairman,
Governing Board,
Women's Christian College,
Nagercoil,
Kanyakumari District.

+1cc to Mr.M.R.SREENIVASAN,Advocate,SR.45697

+1cc to Mr.SREE KUMARAN NAIR,Advocate,SR.45670

+1cc to M/S.Special Government Pleader,SR.45960

W.P (MD) No.14686 of 2011
31.01.2018

DSK

KK/GT/SAR 4/16.02.2018/ 2P- 7C/

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