

Prayer in 13629 of 2019:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to pass orders for sanctioning of annual increment from July 2011 onwards in the post of Associate Professor in Mathematics in the Faculty of Engineering and Technology based on the representation submitted by the petitioner dated 20.08.2018 along with interest for the belated payment with effect from 01.01.2006, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran
(in both petitions)

For Respondent : Mr.R.S.Selvam
No.1 in W.P.13621
of 2019 Government Advocate
(in both petitions)

C O M M O N O R D E R

Writ Petition No.13621 of 2010 is filed for issuance of Certiorarified Mandamus, to direct the respondents to consider petitioner for promotion under Career Advancement Scheme as per All India Council for Technical Education norms on par with Faculty of Engineering and Technology teachers with reference to minimum academic performance and service requirements as per Notification dated 09.08.2018 issued by the 2nd Respondent University, by considering the representation submitted by the petitioner dated 11.01.2009.

2. Writ Petition No.13629 of 2019 is filed for issuance of a Writ of Mandamus, to direct the respondents to pass orders for sanctioning of annual increment from July 2011 onwards in the post of Associate Proessor in Mathematics in the Faculty of Engineering and Technology based on the representation submitted by the petitioner dated 20.08.2018 along with interest for the belated payment with effect from 01.01.2006, within a time frame to be fixed by this Court.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for R1. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

4.The petitioner was initially appointed as Lecturer in Mathematics in the Respondent Annamalai University on 01.09.1986. His appointment as Lecturer in Mathematics was made in Chemical Engineering Branch coming under the Faculty of Engineering and Technology. The petitioner worked as Lecturer for a period of 8 years from 1986 to 1994 and thereafter, worked as Selection Grade Lecturer from 1994 to 1998 and subsequently, he was promoted under Career Advancement Scheme Selection Grade Lecturer with effect from 01.09.1998 and worked as such till 31.11.2005. Subsequently, the petitioner was promoted and appointed as Reader in Mathematics in Mathematics Section of Faculty of Engineering and Technology under Adhoc Personal Programme Scheme with effect from 1.12.2005 as per appointment order dated 07.11.2005 with condition that he should acquire Ph.D, degree within a period of five years from the date of

promotion failing which he will not earn his future increments. The petitioner has completed his Ph.D on 26.05.2017. However, neither he was paid annual increment nor promoted under Career Advancement Scheme. In such circumstances, he made two representations 1) for promotion under the Career Advancement Scheme as per All India Council for Technical Education norms on par with Faculty of Engineering and Technology teachers with reference to minimum academic performance and service requirements as per Notification dated 09.09.2018 issued by the 2nd respondent University and 2) to sanction the annual increment from January 2011 onwards in the post of Associate Professor in Mathematics in the Faculty of Engineering and Technology. Till date, the petitioner's representations were not considered. Hence the present writ petitions are filed.

5.The learned counsel for the petitioner submitted that it would suffice if a direction is passed to the respondent to consider the representations of the petitioner dated 09.08.2018 and 20.08.2018, within a reasonable time as fixed by this Court.

6.The learned counsel appearing for the respondent accede to the submission made by the learned counsel for the petitioner and submitted that if any such representation was received by the respondent, the same will be considered on merits and in accordance with law.

7.Thus, without going into the merits of the case, this Court is inclined to direct the respondent to consider the representations of petitioner dated 09.08.2018 and 20.08.2018 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

8.With the above directions, the writ petitions stand disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government
Higher Education Department,
Secretariat, Fort St. George
Chennai-600 009.

2. The Registrar,
Annamalai University,
Annamalai Nagar-608 002
Chidambaram.

+1cc to Mr.K.Sathishkumar, Advocate Sr.82480
+1cc to Mr.G.Sankaran, Advocate Sr.82618
+1cc to the Government Pleader Sr.82790

W.P.Nos.13621 and 13629 of 2019

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srg 01/11/2019