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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :12.11.2019
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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30509 of 2019

and W.M.P.Nos.30542 and 30543 of 2019

B.Amudhavalli

..Petitioner

vs

1.The Secretary
Higher Education Department
Fort St. George
Chennai-600 009.

2.The Member Secretary ,
Teachers Training Recruitment Board ,
DPI Compound , College Road,
Chennai -600006.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records in the impugned Notification No.12/2019 dated 28.08.2019 and 04.10.2019 issued by the 2nd respondent, quash the same and consequently direct the 2nd respondent to accept the application of the petitioner for the post of Assistant Professor as notified by the 2nd respondent in Notification No. 12 / 2019 dated 28.08.2019 and 04.10.2019.

For Petitioner : Mr.N.Senthil Kumar

For R1 : Mr.Vijay Narayan Advocate General
assisted by Mr.V.Kadhirvelu, Spl.G.P.

For R2 : Mr.S.T.S.Moorthi Addl. Adv. General (IV)
assisted by Mr.C.Munusamy, Spl.G.P.

O R D E R

Writ Petition is filed for issuance of Writ of Certiorarified Mandamus calling for the records in the impugned Notification No.12/2019 dated 28.08.2019 and 04.10.2019 issued by the 2nd respondent, quash the same and consequently direct the 2nd respondent to accept the application of the petitioner for the post of Assistant Professor as notified by the 2nd respondent in Notification No. 12 / 2019 dated 28.08.2019 and 04.10.2019.



2. Heard the learned counsel appearing for the petitioner as well as the learned Advocate General appearing for the 1st respondent and the learned Additional Advocate General appearing for the 2nd respondent.

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3. Learned counsel appearing for the petitioner submitted that the petitioner had completed post graduation and M.Phil. The 2nd respondent vide Notification dated 28.08.2019 called for applications for the post of Assistant Professor by way of online with cutoff date of 30.10.2019 for the year 2019-2020. The petitioner is qualifying as per the UGC Regulations dated 18.07.2018 prescribing minimum qualification for appointment of teachers and other academic staff. He further submitted that the Notification issued by the 2nd respondent is contrary to the educational qualification, which prescribes that Ph.D., degree as eligibility criteria, which is also contrary to UGC Regulations. Challenging the Notification, the present writ petition is filed.

4. Learned Advocate General as well as the learned Additional Advocate General appearing for the respondents submitted that as per the present University Grants Commission norms, it is clear that a person, who completed Ph.D., degree alone is entitled to participate in the selection process. The present Notification says a person, who has not completed NET/SLET examination, is not entitled to participate in the selection process and a mere completion of M.Phil., degree alone is not sufficient. Admittedly, the petitioner has possessed only M.Phil., degree not Ph.D. and further she has not passed NET/SLET examination. Therefore, he prays for dismissal of this writ petition.

5. In view of the above submissions made by the learned Advocate General appearing for the respondents, this Court is not inclined to grant the relief as sought for by the petitioner. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS-III)

// True Copy//

Sub Assistant Registrar

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To

1.The Secretary
Higher Education Department
Fort St. George
Chennai-600 009.

2.The Member Secretary ,
Teachers Training Recruitment Board ,
DPI Compound , College Road,
Chennai -600006.

+1cc to Mr.N.Senthilkumar, Advocate, SR.No.93625.

W.P.No.30509 of 2019

MP (CO)
CSR(09/12/2019)