



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2019

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No.15110 of 2015

and

M.P. (MD) .No.1 of 2015

S.Sofia

... Petitioner

Vs.

1.Women's Christian College,
Nagercoil-629 001.
Kanyakumari District,
Represented by its
Correspondent/Secretary

2.The Administrative Committee of the
Kanyakumari Diocese, C.S.I.,
C.S.I.Diocesan Office,
Nagercoil-1,
Kanyakumari District.
Pin:629 001.
Represented by its Chairman
The Bishop of Kanyakumari Diocese C.S.I.,

3.The Administrative Secretary,
Administrative Committee of the
Kanyakumari Diocese C.S.I.,
C.S.I. Diocesan Office,
Nagercoil-1,
Kanyakumari District.
Pin:629 001.

4.Starlin Kamala

5.Dr.N.K.Amaliya

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to forbear from appointing anybody other than the petitioner in the vacancy, caused by the retirement of Dr.Mallih M.Amemath, Professor in Chemistry in the first respondent College.

For Petitioner: K.N.Thampi

For R1

: Mr.T.Cibichakraborty
for M/s.Isaac Chambers



For R2 : F.Deepak
For R3 : No appearance
For R4 : Mr.A.Antony Arulraj
For R5 : Mr.S.Sajibino

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ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents to forbear from appointing anybody in the world other than the petitioner in the vacancy, caused by the retirement of Dr.Malliha M.Amemath, Professor in Chemistry.

2.Such a relief sought for in the present writ petition is absolutely innocuous.

3.A person can file a writ petition for redressal of his grievances. However, the relief to forbear the respondents from appointing anybody in a particular post is something unacceptable and such a relief cannot be granted.

4.The grievances of the petitioner is that she was not considered for appointment to the post of Assistant Professor in Chemistry. However, it is brought to the notice of this Court that the petitioner did not possess the requisite qualification of Ph.D., and therefore, her case was not considered for appointment. However, in the event of undertaking the process of selection, if the writ petitioner is otherwise eligible and qualified, she is at liberty to participate in the process of selection. Participating in the selection process is the right of the writ petitioner. However, the applications submitted in this regard are to be scrutinized by the competent authorities with reference to the rules in force.

5.Thus, in the event of submitting any application by the writ petitioner for appointment to the post of Assistant Professor, in Chemistry her case also shall be considered along with all other eligible candidates strictly in accordance with the rules as well as the UGC regulations which all are applicable for appointment to the post of Assistant Professor to the Chemistry.

6.With these observation, this writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar(CS)



To

University Grants Commission,
Represented by the Chairman
Bahadur Shah Zafar Marg,
New Delhi-110 002.

+1 CC to M/s.S.SAJI BINO, Advocate (SR-72049[F] dated
28/06/2019)

+1 CC to M/s.K.N.THAMPI, Advocate (SR-72232[F] dated 28/06/2019)

+1 CC to M/s.F.DEEPAK, Advocate (SR-72064[F] dated 28/06/2019)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-72073[F] dated
28/06/2019)

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