



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2019

CORAM:

THE HONOURABLE Mr. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.3 of 2016

Dr.P.Kalaichelvi

... Petitioner

Vs.

1.The Director (NITs),  
Department of Higher Education,  
Ministry of Human Resource Development,  
127-C, Shastri Bhawan,  
New Delhi-110 001.

2.The Chairman for Board of Governors,  
National Institute of Technology,  
Tiruchirappalli-620 015,  
Tiruchirappalli District.

3.The Director,  
National Institute of Technology,  
Tiruchirappalli-620 015,  
Tiruchirappalli District.

... Respondents

**PRAYER:** Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent No.3 to re-designate the petitioner to the post of Associate Professor from the post of Assistant Professor in the pre-revised scale, with effect from 23.04.2007 with all monetary and service benefits on par with the re-designated Associate Professors in other NITs and Universities like Madras University and Anna University within the time stipulated by this Court.

For Petitioner: Mr.T.Lajapathi Roy

For R1 : Mr.Aayiram K.Selvakumar, AGP

For R2 & R3 : Mrs.J.Maria Roseline

**ORDER**

The petitioner seeks for a writ of Mandamus, directing the third respondent to re-designate the petitioner to the post of Associate Professor from the post of Assistant Professor in the pre-revised scale, with effect from 23.04.2007 with all monetary and service benefits on par with the re-designated Associate Professors in other NITs and Universities like Madras University and Anna University within the time stipulated by this Court.

2. The writ petition is pending from the year 2016 and the matter is adjourned for several times, but no counter has been filed.

3. The learned counsel appearing for the petitioner would submit that the petitioner has made a representation to the first and third respondents, dated 26.11.2015 by Registered Post with Acknowledgment Card. Till date, the third respondent has not taken any action. Further, it would suffice, if the said authority is directed to dispose of the representation made by the petitioner.

4. The learned Standing counsel appearing for the first respondent would submit that the third respondent is the competent authority to consider the petitioner's representation. If any direction is granted by this Court, the same shall be considered on merits and in accordance with law.

5. Considering the limited scope of the relief sought for in this petition, the third respondent is directed to consider the petitioner's representation, dated 26.11.2015 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar (CS- )

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1. The Director (NITs),  
Department of Higher Education,  
Ministry of Human Resource Development,  
127-C, Shastri Bhawan,  
New Delhi-110 001.



2.The Chairman for Board of Governors,  
National Institute of Technology,  
Tiruchirappalli-620 015,  
Tiruchirappalli District.

3.The Director,  
National Institute of Technology,  
Tiruchirappalli-620 015,  
Tiruchirappalli District.

+1 CC to M/s.AAYIRAM K.SELVAKUMAR, Advocate  
( SR-67019[F] dated 06/06/2019 )

+1 CC to M/s.T.LAJAPATHI ROY, Advocate  
( SR-67177[F] dated 06/06/2019 )

+1 CC to M/s.J.MARIA ROSELINE, Advocate  
( SR-66780[F] dated 04/06/2019 )

**W.P(MD)No.3 of 2016**  
**04.06.2019**

ES/21.06.2019/3P/7C