

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.4908 OF 2019

Dated : 11.03.2019

Between:

G. Manoja

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Petitioner

And

The State of Telangana,
rep. by its Principal Secretary,
Higher Education,
Secretariat Buildings, Hyderabad
and others.

..

Respondents



THE HON' BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.4908 of 2019

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Higher Education and Sri K.Jagadiswar Reddy, learned Standing Counsel for respondent Nos.2 and 3.

2. The petitioner claims to be professor in department of English of Palamuru University. In this Writ Petition, the petitioner challenges the decision of the Registrar dated 30.01.2019, appointing respondent No.4 as Chairman, Board of Studies in the Department of English for a period of two years.

3. The order of the Registrar goes to show that in anticipation of approval of Executive Council, the Vice-Chancellor has accorded approval and therefore the orders are issued.

4. The petitioner challenges this order on the count that respondent No.4 is Assistant Professor and therefore not entitled to be appointed as Chairman of the Board of Studies and that neither Vice-Chancellor nor the Registrar are competent to appoint Chairman of the Board of Studies, but only the Executive Council is competent to appoint.

5. When the matter is taken up, learned Standing Counsel representing respondent No.2 – University, placed before the Court the letter issued by the Special Chief Secretary to Government, Higher

Education Department, dated 31.01.2019, calling upon the Registrar to explain as to how without the approval of the Executive Council a decision was given appointing respondent No.4 as Chairman of Board of Studies and whether the Assistant Professor is competent for such appointment.

6. It appears that on 26.02.2019, the Registrar addressed a letter in response to the above letter of the Government and assured the Government that University would take due diligence and strict adherence to statutory provisions while constituting regular/full Board of Studies.

7. It is not in dispute that the competent authority is the Executive Council of the University and the decision was not taken by the Executive Council. Further, it appears that the Assistant Professor is not competent and these issues are already pointed out by the Government to the Registrar and the Registrar has assured the Government that the University would follow the due process to comply with the statutory requirements.

8. Having regard to the assurance given by the Registrar and having regard to the orders passed by the Government in keeping the earlier orders in abeyance, no further orders are required to be passed. It is needless to observe that the University shall follow the due process in filling up the post of the Chairman, Department of English in the University.

9. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

10. As a sequel thereto, Miscellaneous Petitions, if any, pending, shall stand closed.

JUSTICE P.NAVEEN RAO

11.03.2019
vnb

