

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.26317 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“.....to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus calling for the records relating to impugned Order Rc.No.61/ E1/ GMC-SDPT/ 2019, dt.26/ 08/ 2019 from the file of 3rd Respondent and after pursuing the same, set aside the impugned Order dt.26/ 08/ 2019 in so far as it relates to petitioner's termination / relief on 30/ 08/ 2019 AN from 3rd Respondent College by declaring it as arbitrary, discriminatory and violative of Article 14 of the Constitution of India and consequently direct 3rd Respondent to grant extension of contract period in the post of Asst. Professor, Department of Pharmacology, as has been done in respect of all other similarly situated Asst. Professors vide Proceedings Rc.No. 61/ GMC-SDPT/ 2019 dt.17/ 09/ 2019 issued by 3rd Respondent including payment of monthly salary to me for the period from 31/ 08/ 2019 to till grant of extension of contract period, alternatively, direct 3rd Respondent to forthwith issue appointment order to the petitioner in the existing vacant post of Asst. Professor, Department of Pharmacology, based on my selection on par with other similarly situated persons appointed in pursuance to the interviews held on 27/ 09/ 2019 and with all other consequential benefits monetary or otherwise.....”

Heard Sri V.Jagapathi, learned counsel for the petitioner and the learned Government Pleader for Services-II.

It has been contended by the petitioner that he is fully eligible and qualified to be appointed to the post of Assistant Professor in Pharmacology and the respondents have issued Notification for filling up the post of Assistant Professor in Pharmacology. The petitioner submits that he has responded to the said Notification

and he was appointed as an Assistant Professor in Pharmacology on contract basis for a period of one year in the 3rd respondent College and he has been discharging his duties to the best satisfaction of his superiors and everyone concerned. The tenure of the petitioner has come to an end by 31.08.2019 and the respondents have not renewed the services of the petitioner.

The grievance of the petitioner is that though the services of similarly situated persons were renewed the services of the petitioner were not renewed.

Learned counsel for the petitioner contends that the respondents have issued a walk-in-interview Notification to be conducted on 27.09.2019 for the post of Assistant Professor in Pharmacology and the petitioner has responded to the said Notification and he has participated in the walk-in-interview conducted on 27.09.2019 and he was selected for the post of Assistant Professor in Pharmacology, but the respondents are not finalizing the selection process conducted in respect of walk-in-interview held on 27.09.2019. In those set of circumstances, the petitioner has submitted a representation to the respondents on 12.11.2019 requesting to renew his contract period as was done in the case of similarly situated persons or at least give an appointment order pursuant to walk-in-interview held on 27.09.2019. But, so far, the respondents have not passed any orders on the said representation. Therefore, appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 12.11.2019 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents has contended that the case of the petitioner will be considered and appropriate orders would be passed in accordance with law on the representation submitted by the petitioner on 12.11.2019.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 12.11.2019 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

28-11-2019
Prv