

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.1990 of 2020

and

WMP No. 2333 of 2020

Dr. T. Selavaraju

... Petitioner

-VS-

1. The Vice Chancellor,
Bharathiyar University
Coimbatore 641 046

2. The Registrar,
Bharathiyar University
Coimbatore 641 046

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ,, order or direction in the nature of a Writ of Mandamus directing the first respondent to consider and dispose of the representation filed by the petitioner in person on 30.08.2019 and also the combined representation given by the petitioner along with the other Faculty Members on 25.07.2019 before the first respondent within a reasonable time as fixed by this Hon'ble Court.

For Petitioner : Mr. M. Velmurugan

For Respondents : Mr. L.P. Shanmuga Sundaram
Standing Counsel.

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to consider the representation made by the petitioner and to declare the probation of the petitioner and permit the petitioner to participate in the Career Advancement Scheme (CAS) which in turn will enable the petitioner for further promotion.

2. The case of the petitioner is that he is an Associate Professor in the Department of Chemistry in the first respondent University. The petitioner was appointed by proceedings dated 22.11.2016. The petitioner joined the service of the first respondent on the same day. According to the petitioner, the probation should have been declared after the completion of 2 years as per the the appointment order. Since the same was not declared, the petitioner and similarly placed persons had submitted a representation to the respondent University for declaring the probation. According to the petitioner, only if the probation is declared and the petitioner is confirmed in the post, the petitioner will be able to participate in the CAS for further promotion. In view of the non declaration of the probation, the petitioner is not able to participate in the CAS. Therefore, the present Writ Petition has been filed seeking for appropriate direction.

3. Heard Mr. M. Velmurugan, learned counsel for the petitioner and Mr.L.P. Shanmuga Sundaram, learned counsel for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for by the petitioner, there shall be a direction to the respondents to consider the representations made by the petitioner on 30.08.2019 and 10.01.2020 and pass appropriate orders regarding the declaration of probation, within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondents along with the copy of the representations dated 30.08.2019 and 10.01.2020 and with a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bga

To

1. The Vice Chancellor,
Bharathiyar University, Coimbatore 641 046

2. The Registrar, Bharathiyar University
Coimbatore 641 046

+1cc to Mr.M.Velmurugan , Advocate SR.No. 6451

+1cc to Mr.L.P.Shanmugasundaram , Advocate SR.No. 7597

W.P.NO.1990 of 2020

A.SK(03/02/2020)