

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
D A T E D : 03.12.2020  
C O R A M  
The Hon'ble Mr. Justice SENTHILKUMAR RAMAMOORTHY

Writ Petition No.2201 of 2009

Dr.S.Rajakumari, Ph.D.,

... Petitioner

Vs

The Registrar  
Bharathiyar University,  
Coimbatore-641 046.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for records pertaining to the impugned notification vide Advt. No. EI 2008/16437-5 dated 10.09.2008 published in The Hindu, daily News Paper on 13.09.2008, and quash the same and consequently direct the Respondent to appoint the Petitioner as the Reader in the discipline of Psychology in the Respondent's University as per the earlier notification dated 10.10.2007 issued by the Respondent.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.L.P.Shanmugasundaram

O R D E R

This writ petition pertains to a notification dated 10.09.2008 calling for applications for the post of Reader in Psychology in the Bharathiyar University.

2. The case of the Petitioner is that she was employed as a lecturer in the Department of Psychology at PSG College of Arts and Science, Coimbatore and had post graduate teaching experience of 7-1/2 years. She further states that she belongs to the Scheduled Caste community and had applied for the post of Reader in Psychology pursuant to the notification issued in that regard in the year 2007. However, the Respondent University did not proceed with the selection process and instead issued a notification dated 10.09.2008 calling for applications for the same post. The present writ petition was filed in these facts and circumstances.

3. I heard Mr.R.Jayaprakash, the learned counsel for the Petitioner and Mr.L.P.Shanmugasundaram, the learned counsel for the Respondent.

4. The learned counsel for the Petitioner contends that the cancellation of the selection process in the year 2007 was completely unfair inasmuch as the Petitioner was a

duly qualified candidate and the Respondent University was fully aware that she was the only applicant from the Scheduled Caste category in the relevant year. Accordingly, the cancellation of the selection process should have been done at the outset and not after the Petitioner was made to go through the entire selection process. Therefore, she submits that the notification issued in the year 2008 is vitiated.

5. On the contrary, the learned counsel for the University submits that the Petitioner did not apply in response to the notification dated 10.09.2008. As a result, the Petitioner does not have the locus standi to challenge the said notification.

6. Upon consideration of the submissions of the learned counsel for the respective parties, it is evident that the selection process pursuant to the notification in the year 2007 was cancelled before the appointment order was issued. Accordingly, no vested right had accrued to the Petitioner in respect of the selection process in the year 2007. As regards the selection process pursuant to the notification dated 10.09.2008, it is the admitted position that the Petitioner did not participate in the selection process. Consequently, as contended by the learned counsel for the Respondent University, the Petitioner does not have the locus standi to challenge the said selection process.

7. In the result, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rrg  
To

The Registrar  
Bharathiyar University,  
Coimbatore - 641 046.

+1cc to M/s.R.Jayaprakash Advocate SR.NO.38976

+1cc to M/s.L.P.Shanmugasundaram Advocate SR.NO.39243

W.P.No.2201 of 2009

VSN.II  
SDR 17/12/2020