

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.03.2020

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Re.Appln.No.41 of 2020

in
W.P.No.984 of 2020

Dr.J.Soundararajan

...Petitioner

Vs.

The Registrar,
University of Madras,
Chepauk, Chennai- 600 005.

..Respondent

Prayer:- Review Application filed under Order 47 of Civil Procedure Code 1908 read with Article 226 to review the order dated 10.02.2020 made in W.P.No.984 of 2020.

For Petitioner : Mr.N.G.R.Prasad
For Mr.K.Rajasekaran

For Respondent : Mr.L.P.Shanmugasundaram,
Standing counsel

ORDER

The present Review petition has been filed to review the order passed by this Court on 10.02.2020.

2. The main ground on which the present Review petition is filed is that there was only one meeting that was held by the Committee on 17.09.2018 and during the said meeting, the petitioner was found eligible for being considered for promotion to the post of Associate Professor. An impression was given before this Court as if there was one more meeting was held after 17th September 2018 and in that meeting, the Committee had considered the API score of the petitioner for the year 2016 and 2017. Therefore, the petitioner states that there is an error on the face of the order passed by this Court.

3. Mr.N.G.R.Prasad, learned counsel appearing on behalf of the petitioner submitted that there was only one meeting that was held by the Committee on 17.09.2018 and in that meeting, the petitioner was found eligible. But, however he was recommended for promotion to the post of Associate Professor only with effect from 08.11.2017 instead of 08.11.2016. The learned counsel submitted that this per se had happened due to the wrong projection was made by the respondent as if the Committee sat twice to consider the eligibility of the promotion of the petitioner. In order to substantiate his submissions, the learned counsel brought to the notice of this Court Clause 6.3.2 of the UGC Regulations and the same is extracted hereunder:-

6.3.2. Candidates who do not fulfill the minimum score requirement under the API Scoring System proposed in the Regulations as per Tables II (a and b) of Appendix III or those who obtain less than 50% in the expert assessment of the selection process will have to be re-assessed only after a minimum period of one year. The date of promotion shall be the date on which he/she has successfully got re-assessed.

4. This Court has carefully considered the submissions made by the learned counsel appearing on behalf of the petitioner.

5. This Court does not find any error on the face of the order passed by this Court on 10.02.2020. This Court took into consideration the fact that the Committee had sat only one day i.e., on 17.09.2018. During the meeting, the performance of the petitioner was first considered for the block years 2013–2016. It was found that the petitioner did not have sufficient API Score for this period. The Committee also had the advantage of looking into the performance of the petitioner for the period 2016–2017.

6. The Committee was entitled to look into this, in view of the powers given under 6.3.2 of the UGC Regulations. This Regulation specifically states that the re-assessment can be made after a minimum period of one year. This one year period which was assessed by the Committee (2016-2017) after the block period of 2013-2016, was taken for considering the promotion. The Committee found that the petitioner had taken sufficient API Score for the period 2016-2017 and therefore based on the recommendation of the Committee, the promotion of the petitioner was recommended with effect from 08.11.2017.

7. In view of the above, this Court does not find any ground to entertain the Review Application and accordingly, the same is dismissed.

03.03.2020

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Index:Yes/No

Internet:Yes/No

Speaking Order:Yes/No

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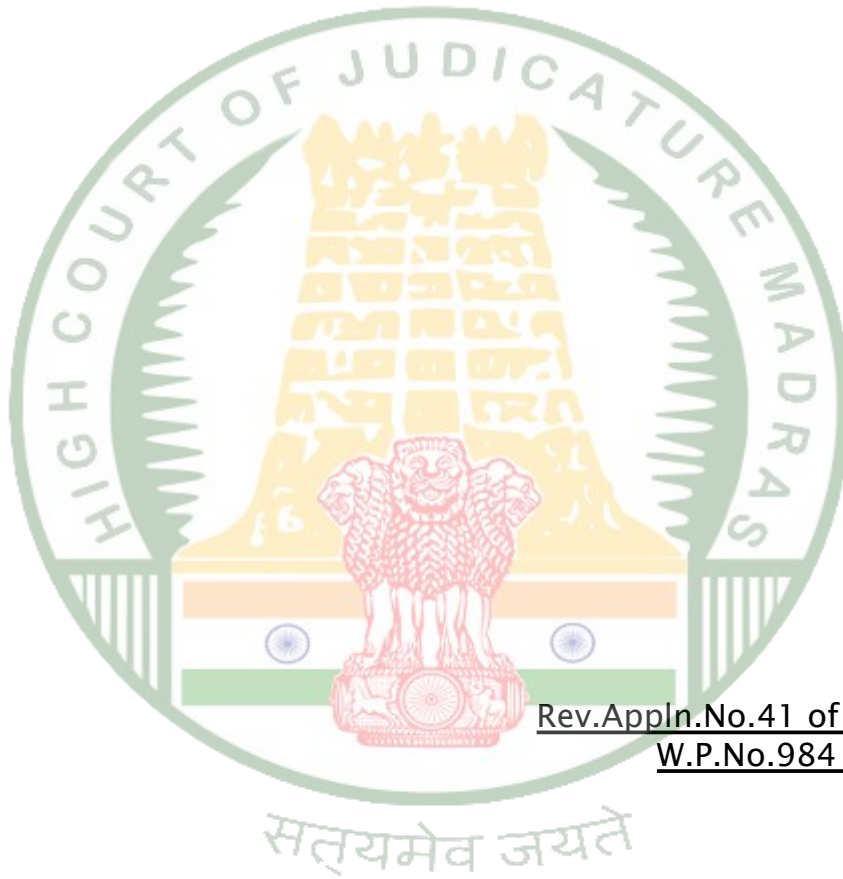
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N.ANAND VENKATESH,J.,

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