



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. (MD) Nos. 16619 & 16620 of 2014

and

M.P (MD) Nos. 1 & 1 of 2014

WEB COPY

1.P.Sankar ... Petitioner in W.P.16619/2014
2.V.Yamuna Rani ... Petitioner in W.P.16620/2014

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Board,
Chennai - 34.
- 2.The Joint Commissioner / Executive Officer,
Arulmighu Dhandayuthapani Samy Thirukovil,
Palani - 624 601.
- 3.The Principal,
Arulmighu Palaniandavar Polytechnic College,
Palani, Dindigul District.
- 4.The Secretary,
Higher Education Department,
Government of Tamil Nadu,
Fort.St.George,
Chennai.
- 5.The Commissioner,
Directorate of Technical Education,
Guindy, Chennai - 25. ... Respondents in both W.Ps.

*(R4 & R5 impleaded vide order
dated 20.11.2014 in MP No.2 & 2 of 2014)

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from appointing any candidate in the vacancy of permanent post of Lecturer in the Electrical and Electronics Engineering Department through interview dated 07.10.2014 in Arulmigu Palaniandavar Polytechnic College, Palani and in consequence thereof directing the respondents to conduct proper interview by giving an opportunity to the petitioners to attend the interview for the permanent post of Lecturer in the Electrical and Electronics Engineering Department in Arulmigu Palaniandavar Polytechnic College, Palani, by following the procedures known to law.



For Petitioners : Mr.D.Selvaraj
(in both W.Ps.)
For Respondents : Mr.K.P.Narayana Kumar
(R1 & R2) Spl.Govt.Pleader
For Respondents : Mr.V.R.Shanmuganathan
(For R3) Spl.Govt.Pleader
(For R4 & R5) : For Mr.J.Gunseelan Muthiah
(in both W.Ps.) Addl.Govt.Pleader

O R D E R

The relief sought for in the present Writ Petitions is to forbear the respondents from appointing any candidates in the vacancy of permanent post of Lecturers in the Electrical and Electronics Engineering Department, through interview, dated 07.10.2014 in 'Arulmigu Palaniandavar Polytechnic College', Palani and further direct the respondents to conduct proper interview by giving opportunity to the petitioners to attend interview for the permanent post of Lecturers in Electrical and Electronics Engineering Department.

2. The grievances of the writ petitioners are that they are fully qualified for appointment to the post of Lecturers in the respondents Polytechnic College. In view of the fact that the respondents have not conducted the selection properly, the petitioners were constrained to initiate the writ proceedings for the aforesaid relief.

3. On account of efflux of time, it could not be appropriate to issue any direction forbearing the respondents from appointing any candidates. Contrarily, the respondents are bound to appoint the candidates by following the procedures contemplated in the Rules. All appointments are to be made strictly in accordance with the Rules in force. Equal opportunity in public employment is the constitutional mandates. All eligible candidates, including the petitioners, if they are otherwise eligible, must be provided an opportunity to participate in the open competitive process. The Rule of reservation is to be followed. Accordingly, persons are to be selected and appointed.

4. The learned counsel appearing for the respondents states that pursuant to the interim order, one post of Lecturer is kept vacant.

5. The respondents are directed to conduct the selection by strictly following the Rules and by providing equal opportunity to all eligible candidates. This being the principles to be followed, the relief as such sought for cannot be granted. However, the respondents are directed to follow the procedures contemplated, and to complete the process of selection and appointment.



6. With these directions, the Writ Petitions stand disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

MPK

To

1. The Commissioner,
Hindu Religious and Charitable Endowment Board,
Chennai - 34.
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+1 CC to Spl GP (SR-22198, 22021, 22022[F] dated 19/11/2020)

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VB (27.11.2020) 3P 7C