



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.10.2020
CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P. (MD).No.10407 of 2015
and
MP (MD)No.1 of 2015

B.Mohanan

... Petitioner

-Vs-

1.The Gandhigram Rural Institute-
Deemed University,
Rep. by its Registrar,
Gandhigram - 624 302,
Dindigul District.

2.University Grants Commission,
Rep. by its Secretary,
Bahadur Shah Zafar Marg,
New Delhi 110 002.

... Respondents

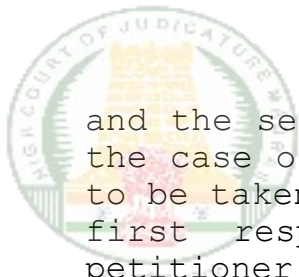
Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to issue proceedings advancing the date of promotion from 01.05.2004 to 23.01.2003 by modifying the proceedings dated 29.08.2006.

For Petitioner : Mr.M.Saravanan
For R1 : Mr.MA.P.Thangavel
For R2 : Mrs.S.Srimathy
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the first respondent to issue proceedings advancing the date of promotion from 01.05.2004 to 23.01.2003 by modifying the proceedings dated 29.08.2006.

2.The writ petitioner was appointed as Reader in the first respondent institute on 31.01.1997. He was promoted as Professor of Political Science and Development Administration with effect from 01.05.2004, vide communication, dated 29.08.2006. The writ petitioner submitted a representation on 31.08.2006 to the first respondent stating that there is a discrepancy in the order of promotion and therefore, the promotion is to be preponed with effect from 23.01.2003. In this regard, the petitioner submitted a representation to the second respondent/University Grants Commission



and the second respondent, in letter dated 23.04.2008, stating that the case of the writ petitioner is to be examined and a decision is to be taken by the first respondent university. In this regard, the first respondent university considered the case of the writ petitioner and vide letter dated 17.03.2015, in which, it is stated that the papers submitted by the writ petitioner was a French language and therefore, the claim of the writ petitioner cannot be considered and accordingly, sought for the clarification from the University Grants Commission. The first respondent university was not clear whether the benefit of proponement of promotion can be granted with reference to the French papers submitted by the writ petitioner.

3.This Court is of the considered opinion that evaluation of the language and the papers submitted by the Professor are to be done by the experts in that field of education. Court is not an expert to evaluate the papers submitted by the writ petitioner in French language. It is for the competent authority to evaluate or proceed in accordance with the rules in force in such circumstances.

4.In view of the fact that the petitioner submitted his paper in French language, it is to be clarified whether he is entitled for preponement of his promotion to the post of Professor in Political Science and Development Administration. This being the factum established, the respondents are directed to expedite the matter based on the recommendations submitted by the first respondent, in letter, dated 17.03.2015 and take a decision and communicate the same to the petitioner as expeditiously as possible.

5.Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Cr1.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

The Secretary,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi 110 002.

+1 CC to M/s.R. SUBRAMANIAN, Advocate (SR-20090[F] dated 15/10/2020)

W.P. (MD).No.10407 of 2015
14.10.2020

sjj

<https://hcservices.courts.gov.in/hcservices/> 2P-3C