



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2020

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.8392 of 2014

&MP(MD)No.1 of 2014

&MP(MD).No.1 of 2015

WEB COPY

T.H.Lajwanthi

: Petitioner

Vs.

1.The University Grants Commission,
Southern Region, Rep by its Chairman,
Bhagadursha Zafar marg,
New Delhi - 110 002.

2.The Registrar,
Manonmaniam Sundaranar University,
Tirunelveli.

3.The Director of Collegiate Education,
EVK Sampath Building,
College Road,
Chennai.

4.The Joint Director of Collegiate Education,
Perumalpuram,
Tirunelveli.

5.The Secretary,
Aditanar College of Arts and Science,
Tiruchendur,
Tuticorin District.

6.M.R.Kathikeyan

: Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for Writ of Mandamus forbearing the fifth respondent from regularizing the post of the sixth respondent as Assistant Professor in Business Administration.

For Petitioner : Mr.C.T.Perumal
For Respondents : Mr.B.Vijaykarthikeyan for R1
Mr.K.Sathiya Singh for R2

Mr.J.Gunaseelan Muthiah,
Additional Government Pleader
for R3 & R4



Mr.D.Srinivasa Rahhavan for R5
Mr.S.Ponsenthil Kumaran for R6

O R D E R

The relief sought for in the present writ petition is to forbear the fifth respondent from regularizing the post of the sixth respondent as Assistant Professor in Business Administration.

2.The writ petitioner was relieved from services with effect from 03.03.2014. Subsequently, the sixth respondent in this writ petition one M.R.Kathikeyan was appointed as the Assistant Professor in the Department of Business Administration. He was continuing in services as he has fully qualified for appointment to the post of Assistant Professor in the Department of Business Administration. However, his appointment is subject to the approval of the competent authorities after verification of the original records relating to the educational qualification.

3.The learned counsel appearing on behalf of the respondent College brought to the notice of the Court that the qualification of the sixth respondent has already been approved. However, the said position has to be clarified only after verification of all the records. However, the relief as such sought for to forbear the fifth respondent from regularizing the post of the sixth respondent as Assistant Professor deserves no merit consideration at this length of time in view of the fact the regularization of the sixth respondent in the post of Assistant Professor is also subject to fulfilment of all the required minimum educational qualification and other aspects. This being the factum, the case of the writ petitioner cannot be considered as she had already been relieved on 03.03.2014 as she was not possessing the requisite minimum qualification and she has not passed the National Eligibility Test.

4.Thus, the writ petition is devoid of merits and the same is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar CS-I

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/ /2020

Sub Assistant Registrar (CS)



Tsg-2/CM

To

1.The Chairman, University Grants Commission,
Southern Region,
Bhagadursha Zafar marg,
New Delhi - 110 002.

2.The Registrar,
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Tirunelveli.

5.The Secretary,
Aditanar College of Arts and Science,
Tiruchendur,
Tuticorin District.

+1 CC to Mr.V. SANJEEVI, Advocate (SR-21076[F] dated 04/11/2020)

+1 CC to SGP (SR-21092[F] dated 04/11/2020)

+1 CC to Mr.B.VIYAY KARTHIKEYAN, Advocate (SR-21208[F] dated 05/11/2020)

Order in
W.P (MD) No.8392 of 2014
03.11.2020

SRK (CO)
KM (11.11.2020) 3P 9C