

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.2815 of 2021

Dr.S.Vadivel

... Petitioner

Vs

1. The Director of Collegiate Education,
Nungambakkam, Chennai.

2. The Regional Joint Director,
Collegiate Education,
Katpadi, Vellore District.

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to issue teaching experience certificate from the period he served as a guest lecturer that is 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019 on the basis of the representation given by the petitioner on 01.10.2020

For Petitioner : Mr.D.Rajagopal

For Respondents: Mr.Karthikeibalan

O R D E R

This writ petition has been filed, seeking a direction to the respondents to issue Teaching Experience Certificate from the period she served as a guest lecturer that is 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019 on the basis of the representation given by the petitioner on 01.10.2020

2. By consent of both sides, final orders are passed in the writ petition in the admission stage. Mr.Karthikeibalan, learned Standing counsel takes notice for respondents.

3. It is the case of the petitioner that the petitioner who working as a Guest Lecturer in the Government Thirumagal Mills College, Gudiyatham since 2004, was refused to issue a certificate of Teaching Experience for 11 years by the Principal of the said College. The Principal of the said college has

issued a Certificate for the years 2007-2008, 2008-2009, 2017-2018 and 2018-2019, by ignoring 8 years based on the instruction given by the respondents. While the petitioner was applying for the post of Assistant Professor, call for by the Teachers Recruitment Board, the name of the petitioner was ignored since he has not possess more than 5 years of Teaching experience, though he served the institution for 15 years. Hence, the petitioner has made a representation dated 01.10.2020 to the respondents to issue Teaching Experience Certificate in addition for the periods from 2009 -2010 upto 2018-2019, in the light of the orders passed by this Court in W.P.No.18186 of 2013, dated 12.07.2013. As there is no action on the part of the respondents, the petitioner is before this Court by way of filing writ petition.

4. The learned Standing counsel appearing for the respondents would submit that the representation of the petitioner will be considered in terms of Rules / Guidelines / norms, after affording an opportunity of hearing to the petitioner.

5. In view of the submission made by the counsel appearing for the respondents, and if the Petitioner's representation is already pending with the authorities concerned and, not disposed of earlier, this Court directs the respondents to consider the representation of the petitioner dated 01.10.2020 by taking note of the the Judgment of this Court made in W.P.No.18186 of 2013, dated 12.07.2013, if the guidelines are applicable to the petitioner and pass appropriate orders, in accordance with law, after affording an opportunity of hearing to the petitioner, as expeditiously as possible, preferably within a period of 30 days from the date of receipt of a copy of this order.

6. The petitioner shall furnish his phone number, email ID, if any, etc., along with a copy of the representation dated 01.10.2020 and this order, to the respondents forthwith. The respondents are directed to communicate the decision taken on the representation, to the petitioner within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/registered post/speed post, so that there is no need for the parties to file contempt after expiry of the specified period. In case the authorities concerned fail to send communication to the parties, they will have to face the civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned un-served for one reason or the other, the same shall be kept in the file without opening it for the proof of attempt of delivery, so that the parties, at a later point of time, will not take a plea that he is not aware of the order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vum
To:

1. The Director of Collegiate Education,
Nungambakkam, Chennai.
2. The Regional Joint Director,
Collegiate Education,
Katpadi, Vellore District.

+1cc to Mr.D.Rajagopal , Advocate SR.No. 7734

W.P.No.2815 of 2021

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