



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.11.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.4836 of 2018

WEB COPY

D.Mathialagan

... Petitioner

/Vs./

1.The Principal,
Government Arts College,
Tiruchirappalli-620022.

2.The Director of Collegiate Education,
Secretariat,
Chennai-600 009.

3.The Principal Secretary,
Higher Education Department,
Secretariat,
Chennai-600 009.

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to allow the petitioner to work as a Honourary Guest Lecturer in the Department of Tamil in the Government Arts College, Tiruchirappalli-620022 till he attains 65 years.

For Petitioner : Mr.Shankar Murali
For Respondents : Mr.K.S.Selvaganesan,
counsel for state

ORDER

The petitioner seeks a Mandamus directing the respondents (I.e.,) Principal, Government Arts College/R1, Director of Collegiate Education, Secretariat/R2, the Principal Secretary, Higher Education Department/R3, to allow him to work as Honourary Guest Lecturer in the Department of Tamil, till he attains the age of 65 years.

2. The petitioner relies on a communication dated 17.09.2013 which has been issued by the Secretary, Law Department Secretariat, Chennai to Director, Law Education, Chennai and Principals of all law colleges, wherein, it is stated that the services of Guest Lecturer may be availed till they attain the age



of 65 years. According to him, the ratio of the communication is fully applicable to all honourary Guest Lecturers teaching in Government Institutions.

3. Though no counter affidavit has been filed, the respondents rely upon an Office Memorandum bearing No.26290/D2/2017 dated 08.08.2017 clarifying that in the case of Guest Lecturers, 58 years is the applicable age of retirement.

4. Being a matter of policy, this Court is loath to intervene. However, seeing as the petitioner has filed a representation dated 30.06.2017 before R3 seeking the same relief as sought for in this writ petition, a direction is issued to R3 to dispose representation dated 30.06.2017 within four weeks from date of uploading of a copy of this order in the official website of this Court, after hearing the petitioner.

5. Liberty is also granted to the petitioner to challenge Office Memorandum No.26290/D2/2017 dated 08.08.2017, if he is so advised. This writ petition stands disposed as above with no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Principal,
Government Arts College,
Tiruchirappalli-620022.

2.The Director of Collegiate Education,
Secretariat,
Chennai-600 009.



3.The Principal Secretary,
Higher Education Department,
Secretariat,
Chennai-600 009.

WEB COPY

+1 CC to M/s.K.S.SANKAR MURALI, Advocate (SR-34121[F] dated 11/11/2021)

+1 CC to M/s.SPL.GP (SR-34074[F] dated 11/11/2021)

W.P. (MD) No.4836 of 2018

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10.11.2021

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