



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2021

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) No. 14249 of 2018

and

W.M.P. (MD) Nos. 12908 and 18335 of 2018

1. K. Siva Subramanian
2. J. Saravanan
3. N.G. Abraham
4. J. Arul Justin
5. G. Joseph
6. D. Suganthi Ananthavalli
7. M. Gobi Kathis Kumar
8. B. Marikumar
9. A.M.S. Shahul Hameed Badhush
10. M. Kalaiselvi
11. J. Persis Jeyathilaka
12. N. Ariyanayagam

...Petitioners

Vs.

1. The Registrar,  
Anna University of Technology  
Tirunelveli.
2. The Director of Technical Education,  
Government of Tamil Nadu,  
Guindy, Chennai - 600 025.
3. The Principal,  
Government Engineering College, Tirunelveli - 627 007.

.. Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus, by forbearing the respondents from filling up the Mechanical Engineering, Electrical and Electronics Engineer, Computer Science and Engineering, Electronics and Communication Engineering and Mathematics Teaching Staff posts being held by the petitioners, by appointing any other teaching staffs to the above posts under the third respondent, till the temporary posts are to be filled up, by regular recruitments, in accordance with the procedures, within the time frame as may be fixed by this court and pass orders.



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For Petitioner : M/s. P. Jessi Jeeva Priya  
For Respondents : Mr. M. Rajarajan  
Standing Counsel for R1  
Mr. A.K. Manikkam,  
Special Government Pleader for R2  
Mr. R. Sethu Raman for R3

**ORDER**

Read this order in conjunction with order passed by this court by my predecessor on 04.07.2018, which reads as follows:

*It is submitted by the learned counsel appearing for the petitioners that, these petitioners have been working at the third respondent college for several years, of course, on Adhoc basis. However, without resorting to make any permanent appointment, the Management of the College is trying to make fresh Adhoc appointments, by dispensing with the services of the petitioners.*

*2. I have heard Mrs.S. Srimathy, learned Special Government Pleader appearing for the respondents 2 & 3, who would submit that she wants to get instructions.*

*3. Mr. Rajarajan, learned counsel appearing for the first respondent takes notice on behalf of R1.*

*4. Since the petitioners have already been working for several years and there is no permanent appointment to replace the petitioners and since it is a settled proposition that one Adhoc Appointee cannot be replaced by another Adhoc Appointee, in order to safeguard the interest of the petitioners, who are working in the third respondent college, this Court is inclined to pass the following orders:*

*" An interim order of injunction is granted, restraining the respondents from dispensing with the service of the petitioners.*

*2. Pursuant thereto and since the petitioners were not permitted to resume duty, contempt application came to be filed and the petitioners were reinstated. However only four chose to continue in service, that is, petitioners 1, 2, 4 and 10.*



3. In line with the settled position of law, with which, Mr. A.K. Manikkam, learned Special Government Pleader acquiesces, their services shall not be disturbed by substituting them with other Adhoc appointees. If at all, regular appointees may be brought in or their services may be regularised upon consideration of their applications for the aforesaid purpose, if and when filed.

4. With this, this writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mnr

*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 Registrar,  
Anna University of Technology  
Tirunelveli.
2. The Director of Technical Education,  
Government of Tamil Nadu,  
Guindy, Chennai - 600 025.
3. The Principal,  
Government Engineering College,  
Tirunelveli - 627 007

+1 CC to M/s.SPL GP ( SR-38111[F] dated 10/12/2021 )

**W.P. (MD) No. 14249 of 2018**

**and**

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**08.12.2021**

SP (CO)

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