

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.6824 of 2021
and WMP.No.7375 of 2021

Dr.K.A.Shanmugasundaram

..Petitioner

vs.

1. University Grants Commission (UGC),
Bahadur Shah Zafar Marg,
New Delhi-110 002.
2. The Registrar,
Tamil Nadu Agricultural University,
Coimbatore-641 003.
3. State of Tamil Nadu,
Rep. By its Secretary to Government,
Agricultural Production Commissioner and
Secretary to Government,
Agriculture and Farmers Welfare Department,
Secretariat, Chennai-600 009.

..Respondents

(R3 impleaded as per order dated 02.02.2022
made in WMP.No.1968 of 2022)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration declaring that the petitioner is eligible to be considered for promotion to the post of Professor in May, 2021 under Career Advancement Scheme by counting his past services in accordance with UGC Regulations, 2010 & 2018 in the 2nd respondent University.

For Petitioner : Mrs.Kavitha Rameshwar

For Respondents: Mrs.V.Sudha for R1
Mr.Abdul Saleem for R2
Mr.T.Arunkumar,
Additional Government Pleader for R3

ORDER

The prayer in the Writ Petition is for a declaration, declaring that the petitioner is eligible to be considered for promotion to the post of Professor in May, 2021 under Career Advancement Scheme by counting his past services in accordance with UGC Regulations, 2010 & 2018 in the 2nd respondent University.

2. The learned counsel for the petitioner submits that the petitioner has made a request to the respondents for promotion to the post of Professor in May, 2021 under Career Advancement Scheme by counting his past services in accordance with UGC Regulations, 2010 and the said request was forwarded to the second respondent, but no action was taken thereafter and therefore, he has filed the present writ petition.

3. The learned Standing Counsel for the first respondent/UGC submitted that the first respondent has filed a counter affidavit and stated that the second respondent / Tamil Nadu Agricultural University comes under the purview of UGC Regulations, 2010.

4. The learned Standing Counsel for the second respondent / University submitted that a proposal has been forwarded to the Government, based on the request made by the petitioner.

5. The learned Additional Government Pleader for the third respondent has reported no instructions.

6. In the light of the above, this Court directs the petitioner to make a fresh representation to the third respondent within a period of one week from the date of receipt of a copy of this order and on such representation being made, the third respondent shall consider the same by taking note of Clause 10 of the UGC Regulations, 2010 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

Jvm

To

1. University Grants Commission (UGC),
Bahadur Shah Zafar Marg,
New Delhi-110 002.
2. The Registrar,
Tamil Nadu Agricultural University,
Coimbatore-641 003.
3. The Secretary to Government,
State of Tamil Nadu,
Agricultural Production Commissioner and
Secretary to Government,
Agriculture and Farmers Welfare Department,
Secretariat, Chennai-600 009.

+1cc to Mrs.V.Sudha, Advocate SR. No. 39244

+1cc to Government Pleader SR. No. 39890

+1cc to M/s.N.Kavitha Rameshwar, Advocate SR. No. 39123

W.P.No.6824 of 2021

KV (CO)

PR (14/07/2022)