



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.12128 of 2020

K.Sundaram

..Petitioner

Vs.

1. The Principal Secretary to Government
Department of Higher Education
Government of Tamil Nadu
Secretariat, Chennai 600 009.

2. The Director of Collegiate Education (DCE)
Office at 9th Floor, EVK Sampath Building
College Road
Chennai 600 006.

..Respondents

Prayer:Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the first respondent to implement G.O.(Ms) No.76 dated 18.07.2020 regarding the working hours with Shift I classes with the timings 09.30 a.m. to 04.30 p.m. in respect of all aided and Self Financing Arts and Science College in Tamil Nadu from the Academic Year 2020-21 as implemented to the Government Colleges.

For the Petitioner : Mr.G.Murugendran

For the Respondents : Mr.P.Muthukumar
State Government Pleader
Assisted by
Mr.K.M.D.Muhilan
Government Advocate

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

The writ petition has been filed to give effect to G.O.Ms.No.76 dated 18.07.2020 in respect of Aided and Self Financing Arts and Science College, with regard to the time



schedule of classes between 9.30 a.m. and 4.30 pm.

2.Learned counsel for the petitioner submits that when the time schedule has been given by the State Government for the Government Colleges, it should have been applied even to Aided and Self Financing Colleges.

3.We have perused G.O.Ms.No.76 dated 18.07.2020. It is applicable only to 50 Government Colleges. It has not been made applicable to all the Colleges and therefore, the prayer made by the petitioner to apply the said G.O. to all the Aided and Self Financing Colleges cannot be accepted. It is more so when none of the College is added as party respondents who may be affected by the outcome of the direction sought by the petitioner. Thus, the writ petition suffers from non joinder of parties. Accordingly, it is dismissed. There will be no order as to costs. Consequently, WMP No.14870 of 2020 is also dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kpl

To:

1. The Principal Secretary to Government
Department of Higher Education
Government of Tamil Nadu
Secretariat, Chennai 600 009.
2. The Director of Collegiate Education (DCE)
Office at 9th Floor, EVK Sampath Building
College Road, Chennai 600 006.

+1cc to the Government Pleader, S.R.No.39820

W.P.No.12128 of 2020

MG(CO)
RGA(05/07/2022)