



W.P.No.28798 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.28798 of 2022

Dr.E.Venkatesan

... Petitioner

Vs

The Registrar,
Pondicherry University,
Dr.B.R.Ambedkar, administrative Building,
R.V.Nagar, Kalapet,
Puducherry – 605 014

... Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to to direct the respondent to fill lup the post of Assistant professor (Computer Science) under OBC category based on the Academic Performance indicators (API) scores secured by the petitioner in accordance with Table-3A of University grants Commission Regulations, 2018, in cancellation of any further selection process in consideration of representation submitted by the petitioner dtd 28.06.2022 within a time frame to be fixed by this Hon'ble Court

For Petitioner ... Mr.G.Sankaran

For Respondent ... Mr.M.Ravi,
Standing Counsel for
Pondicherry University



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ORDER

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This writ petition has been filed for a Mandamus seeking for a direction to the respondents to fill up the post of Assistant Professor(Computer Science) under OBC category based on the Academic Performance Indicators (API) scores secured by the petitioner in accordance with Table-3A of University Grants Commission Regulations, 2018, by cancelling any further selection process, based on the petitioner's representation dated 28.06.2022, within a time frame to be fixed by this Court.

2. Heard Mr.G.Sankaran, learned counsel for the petitioner and Mr.M.Ravi, learned Standing Counsel, accepts notice on behalf of the respondent. By consent of both the parties, the main writ petition has been taken up for final disposal.

3. According to the petitioner, he belongs to OBC community and is qualified with B.Sc., (Computer Science), M.Sc., (Computer Science), M.Phil., (Computer Science) and Ph.D.,(Computer Science) and eligible for appointment to the post of Assistant Professor in the respondent University as per the UGC Regulations, 2018. According to the petitioner, as per



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notification dated 06.07.2020 issued by the respondent University, the method of selection is based on API scores as per Table – 3A of the UGC Regulations, 2018. According to the petitioner, he has secured high API scores and he anticipated that he will be called for interview from the respondent University. However, according to the petitioner, the respondent University has not published any results nor issued any list of candidates calling for interview. It is now contended by the petitioner that he came to know that the respondent University is now proceeding to select the candidates by calling few individuals for interview without publishing any provisional list of candidates. The petitioner has submitted an application under the RTI Act. According to the petitioner, he received response stating that the interview was conducted by the respondent University for the candidates between 01.02.2022 and 04.02.2022. The petitioner was furnished with a reply dated 13.06.2022 and according to him as per the said reply, it is clearly stated that the cut off marks for the short listed applicants are (a) General -80 (b) OBC – 78 and (c) SC – 75. According to the petitioner, he has secured 84 marks and having applied under OBC category, he ought to have been called for interview. But however, he was not called for the



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interview. In such circumstances, he has given a representation on 28.06.2022 to the respondents requesting them to appoint him to the post of Assistant professor. Since the representation has not been considered till date, he has filed this writ petition.

4. At the outset, the learned Standing Counsel appearing for the respondent University would submit that the petitioner will have to give a representation to the Registrar and not to the Vice Chancellor. Learned counsel for the petitioner would submit that the petitioner is willing to give a fresh representation to the Registrar of the University. The said statement is also recorded.

5. No prejudice would be caused to the respondent University if the petitioner is allowed to give a fresh representation and a direction is issued to the respondent University to consider the same on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the respondent seeking for appointment as Assistant Professor, based on his marks, pursuant to the notification dated 06.07.2020 within a period of one week from the date of receipt of a copy of



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this order and the respondent, on receipt of the same, the respondent is directed to pass final orders on the representation of the petitioner on merits and in accordance with law within a period of six weeks thereafter. It is made clear that this Court is not expressing any opinion on the merits of the petitioner's representation and it is for the respondent to consider the same on merits,. 7. With the aforesaid direction, the Writ Petition is disposed of .
No costs.

01.11.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
vsi

To
The Registrar,
Pondicherry University,
Dr.B.R.Ambedkar, administrative Building,
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Puducherry – 605 014



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ABDUL QUDDHOSE, J.

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