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W.P.No.31159 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.31159 of 2022 &
W.M.P.No.30591 of 2022

Dr.P.Santhi

... Petitioner

Vs

1.Principal Secretary to Government,
Higher Education Department,
Tamil Nadu Government Chief Secretariat,
Fort St. George, Chennai - 600 009.

2.Search Committee Represented by
Prof.K.Pitchumani,
Dr.S.Karuthiah Pandian, I.A.S. (Retired),
Dr.M.Rajendran, M.A., M.Phil, Ph.D.,
C/o. Tamil Nadu Open University,
No.577, Anna Salai, Saidapet, Chennai - 600 015.

3.Dr.S.Swaminathan,
Nodal Officer,
Search Committee for the selection of Vice Chancellor,
Tamil Nadu Open University,
Professor, Department of Information Science and Technology,
College of Engineering, Anna University, Guindy Campus,
Chennai - 600 025

... Respondents



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Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the third respondent to consider the representation of the petitioner dated 12.11.2022 and 14.11.2022 and include the name of the petitioner in the panel of the candidates to be short listed by the second respondent Search Committee for the post of Vice Chancellor, Tamil Nadu Open University, Chennai.

For Petitioner ... Mr.A.P.Surya prakasam

For Respondents ... Mr.R.Shanmuga Sundaram,
Advocate General, Assisted by
Mr.D.Ravichander,
Special Government Pleader

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the third respondent to pass final orders on the petitioner's representations dated 12.11.2022 and 14.11.2022 seeking to include her name in the panel of candidates to be short listed by the second respondent Search Committee for the post of Vice Chancellor, Tamil Nadu Open University, Chennai.

2. Mr.R.Shanmuga Sundaram, learned Advocate General, assisted by Mr.D.Ravichander, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.



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3. The petitioner has applied for the post of Vice Chancellor, Tamil Nadu Open University, Chennai. A Search Committee has been constituted by the Tamil Nadu Open University, Chennai. The petitioner's apprehension is that even though she has been qualified to be short listed, the Search Committee may likely exclude her name as one of the short listed candidates. The petitioner has given representations dated 12.11.2022 and 14.11.2022 requesting the respondents to include her name in the panel of the candidates to be short listed by the second respondent, Search Committee for the purpose of being appointed Vice Chancellor, Tamil Nadu Open University, Chennai. According to the petitioner, as per the unconfirmed rumours, the Search Committee has short listed ten persons, out of 62 aspirants for interview and the interview is slated on 23.11.2022. However, according to the petitioner, she has not received any communication so far.

4. Heard Mr.A.P.Suryaprakasam, learned counsel for the petitioner and Mr.R.Shanmuga Sundaram, learned Advocate General, assisted by Mr.D.Ravichander, learned Special Government Pleader appearing for the respondents.



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5. No prejudice would be caused to the respondents, if the petitioner's representations are considered on merits and in accordance with law, within a short time by the respondents.

6. For the foregoing reasons, this Court, without expressing any opinion on the merits of the petitioner's claim, directs the second respondent to pass final orders on the petitioner's representations dated 12.11.2022 and 14.11.2022 seeking for inclusion of her name in the panel of the candidates to be short listed by the second respondent, Search Committee, Tamil Nadu Open University, Chennai on merits and in accordance with law, within a period of two days from the date of receipt of a copy of this Order.

7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

22.11.2022

Note: Issue order copy on **22.11.2022**

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

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To

- 1.Principal Secretary to Government,
Higher Education Department,
Tamil Nadu Government Chief Secretariat,
Fort St. George, Chennai - 600 009.
- 2.Search Committee Represented by
Prof.K.Pitchumani,
Dr.S.Karuthiah Pandian, I.A.S. (Retired),
Dr.M.Rajendran, M.A., M.Phil, Ph.D.,
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ABDUL QUDDHOSE, J.

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