



W.P.(MD).No.4088 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4088 of 2020

A.Vimala

... Petitioner

vs.

1.The Union of India,
represented by its Secretary,
Higher Education Department,
Ministry of Human Resource Development,
Shastri Bhavan,
New Delhi 110 001.

2.University Grants Commission,
represented by its Chairman,
Bahadur Shah Jaffar Marg,
New Delhi 110 002.

3.The State of Tamil Nadu
represented by its Secretary,
Department of Higher Education,
Secretariat,
Chennai 600 009.

4.Teachers Recruitment Board,
represented by its Member Secretary,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai 600 006.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 3rd and 4th respondents to strictly comply with the 2009 Regulations viz., UGC (Minimum Standards and Procedure for awards of M.Phil/Ph.D., Degree) Regulation, 2009 of the 2nd respondent pertaining to eligibility criteria for appointment to the post of Assistant Professor and remove the unqualified Assistant Professors, who were appointed without complying the said regulation and appoint the petitioner as Assistant Professor by awarding the required marks according to the said regulation, with all consequential benefits.

For Petitioner	: Mr.C.Nagamuthu
For R1	: Mr.M.Karunanithi
For R2	: Mr.V.Maharajan
For R3 & R4	: Mr.S.P.Maharajan

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 3rd and 4th respondents to strictly comply with the 2009 Regulations viz., UGC (Minimum Standards and Procedure for awards of M.Phil/Ph.D., Degree) Regulation, 2009 of the 2nd respondent pertaining to eligibility criteria for appointment to the post of Assistant



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Professor and remove the unqualified Assistant Professors, who were appointed without complying the said regulation and appoint the petitioner as Assistant Professor by awarding the required marks according to the said regulation, with all consequential benefits.

2. The learned counsel appearing for the petitioner would submit that the petitioner has challenged the orders of appointment of unqualified Assistant Professors by the third and fourth respondents, who did not comply with the Regulation viz., UGC (Minimum Standards and Procedure for awards of M.Phil/Ph.D., Degree) Regulation, 2009 of the second respondent and to comply with the same for appointment to the post of Assistant Professor.

3. The learned counsel appearing for the respondents would submit that already this Court in W.P.(MD).Nos.18755, 12054 and 13485 of 2013 and W.P.(MD).No.519 of 2014 dated 21.06.2019, issued a direction to the respondents 3 and 4 to comply with the 2009 Regulations. For the very same order, now the petitioner has filed the present writ petition,



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which is not sustainable. Hence, he prayed for dismissal of this writ petition.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. Since the respondents 3 and 4 have already taken steps to comply with the order passed by this Court, no further order is necessary in this writ petition. Hence, this Writ Petition is dismissed. No costs.

07.12.2022

akv

To

1. The Secretary,
Union of India,
Higher Education Department,
Ministry of Human Resource Development,
Shastri Bhavan,
New Delhi 110 001.

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M.DHANDAPANI,J.

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