



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

WEB COPY

W.P. (MD)Nos.6658 to 6660 of 2019

and

W.M.P (MD)Nos.5322 to 5324 of 2019

1.M.Malini	... Petitioner in W.P(MD)No.6658/19
2.M.V.Rajee	... Petitioner in W.P(MD)No.6659/19
3.R.Femi	... Petitioner in W.P(MD)No.6660/19

Vs.

1.The Vice Chancellor,
Anna University,
Chennai-600 025.

2.The Registrar of Anna University,
Chennai-600 025.

3.The Dean,
University College of Engineering,
Nagercoil. ... Respondents in all W.Ps

COMMON PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Declaration, to treat the petitioners initial appointment on 08.01.2013, 30.07.2015 and 08.01.2013 as Assistant Professor with Time Scale of Pay and Grade Pay applicable to the post of Assistant Professor by the respondents with Annual Increments and revisions in Pay Scale and Grade Pay in the Departments of Civil Engineering, Information Technology and Electrical and Electronics Engineering or applicable Department in the respondent University in terms of the University Grant Commission (Minimum Qualification for appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education) Regulations, 2010 and All India Council for Technical Education (Pay Scales, Service Conditions and qualification for teachers and other academic staff in Technical Institutions-Degree), Regulations 2010.

For Petitioners	: M/s.N.S. Nandakumar
For R1 & R2	: Mr.E.V.N.Siva
For R3	: Mr.M.Ramesh
	Government Advocate



COMMON ORDER

The learned counsel appearing for the respondent University made a submission that the petitioners were engaged purely on temporary basis as teaching faculty. The engagement of teaching faculty on temporary basis was made based on the following terms and conditions:

1.The assignment will be on contract basis for a period from 05.07.2018 to 31.12.2018. He will be paid a consolidated salary of Rs.22,000/- (Rupees Twenty Two Thousand only) per month.

2.He is eligible for one day Casual Leave per month for this period of service.

3.He will be governed by the Anna University employees Conduct Rules as in force from time to time.

4.The Consolidated salary payable is for a full time assignment.

5.The nature of work and duties shall be assigned by the Dean i/e, University College of Engineering, Ramanathapuram and the authorities of the University from time to time.

6.The assignment does not confer any right to privilege for a regular, permanent or tenure appointment in the University.

7.He is informed that the assignment is purely temporary and is liable for termination.

8.He is directed to give one month prior notice before leaving the post.

9.He should not claim any right for future regular appointment.

10.He shall report to the Dean i/e, University College of Engineering Ramanathapuram.

11.He is informed that on completion of his tenure, the services would be terminated automatically and there will be no further engagement of services beyond 31.12.2018.

12.Subject to the above condition, he may continue further with their written consent."

2.The learned counsel appearing for the respondent University made a submission that all the petitioners have already relieved from their services. The period of temporary appointment came to an end on 13.12.2018 itself and thereafter, the petitioners have filed a writ petition in W.P(MD)No.24906 of 2018 and an interim order of Status quo was granted on 18.12.2018. However, the said interim order was not extended beyond 12.02.2019 and thereafter, the petitioners have not reported for duty.

3.This Court is of the considered opinion that the petitioners were engaged as teaching faculty purely on temporary basis on



certain terms and conditions. As per the terms of the contract appointment, the terms expired on 31.12.2018, therefore, the petitioners cannot have any right beyond the period of contract.

4. In view of the fact that the petitioners have not established any right for their continuance in view of the agreements signed by them, the relief as such sought for in the present writ petition cannot be considered. The petitioner's right of appointment ended on the date of expiry of contract and therefore, no further consideration is required. Accordingly, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Dean,
University College of Engineering,
Nagercoil.

+1 CC to M/s.SPL.GP. (SR-21176[F] dated 26/04/2022)

W.P. (MD) Nos. 6658 to 6660 of 2019

and

W.M.P (MD) Nos. 5322 to 5324 of 2019

22.04.2022

MGJ(13.05.2022) 3P 3C