



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

and

WEB COPY THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.A. (MD) No.1241 of 2020

and

C.M.P. (MD) Nos.6996 of 2020 and 740 of 2021

S.Jeyalakshmi

... Appellant/Petitioner

Vs.

1.The Registrar,
Anna University Tiruchirappalli,
Anna University Campus,
Tiruchirappalli - 620 024.

2.The Vice Chancellor,
Anna University Tiruchirappalli,
Anna University Campus,
Tiruchirappalli - 620 024.

3.The Secretary to the Government,
Ministry of Higher Education,
Fort St.George,
Chennai - 600 009.

4.V.R.Sharama Dulipala
Lecturer,
Anna University Tiruchirappalli,
Anna University Campus,
Tiruchirappalli - 620 024.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 21.02.2019 made in W.P.(MD) No.13396 of 2009 and to allow the appeal.

Prayer in WP(MD). 13396/ 2009 :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a WRIT OF CERTIORARIFIED MANDAMUS, to call for the records of the first to third respondents herein namely, the selection List of the first respondent published pursuant to the Recruitment Advertisement No.AU-03-2008 dated



17.09.2008 selecting the fourth respondent under the General category for the post of Lecturer in Physics with M.Sc.Electronics, and the third respondent's Government order in G.O.Ms.No.452, Higher Education Department, dated 20.10.2015 ratifying the selection and appointment of the fourth respondent without essential qualification w.e.f. 01.08.2012 and all further proceedings arising out of the first respondent's selection list insofar as the fourth respondent herein and quash the same. Consequently, select and appoint the petitioner herein placed 7th rank under BC category, by selecting and appointing one C.Hirthna placed 7th rank in GT category in the place of fourth respondent but presently selected and appointed under BC category, to the post of Lecturer in Physics under the BC category with all other attendant service benefits.

For Appellant : Mr.M.S.Sureshkumar

For Respondents 1 & 2 : Mr.E.V.N.Siva
Standing Counsel

For 3rd Respondent : Mr.S.Shaji Bino
Special Government Pleader

For 4th Respondent : Mr.G.Prabhu Rajadurai
* * *

J U D G M E N T

(Judgment of the Court was delivered by **R.MAHADEVAN, J.**)

The Writ Appeal has been filed by the appellant/writ petitioner, challenging the order of the learned Single Judge in W.P.(MD) No.13396 of 2009, dated 21.02.2019, by which, the learned Single Judge has disposed of the Writ Petition, challenging the selection of the 4th respondent, with a direction to the third respondent to come out with an announcement as to whether the M.Sc., Electronics degree obtained by the fourth respondent would meet the eligibility requirement for the post of Lecturer in Physics in Anna University pertaining to the impugned selection.

2. Mr.M.S.Sureshkumar, learned counsel for the petitioner, Mr.E.V.N.Siva, learned Standing Counsel, appearing for the respondents 1 and 2, Mr.S.Shaji Bino, learned Special Government Pleader, appearing for the 3rd respondent and Mr.G.Prabhu Rajadurai, learned Standing Counsel for the 4th respondent.

3. Today, when the matter was taken up for hearing, it is represented that the learned Single Judge has directed the Government to take a call with regard to the equivalence of M.Sc., Electronics degree obtained by the fourth respondent and now, the equivalence result has been arrived at and declared that M.Sc.,



Electronics degree obtained by the fourth respondent would not meet the eligibility requirement for the post of Lecturer in Physics in Anna University pertaining to the impugned selection.

4. In view of the above, this Writ Appeal is disposed of with a direction to the third respondent to pass necessary orders with regard to the claim of the appellant and communicate the decision taken to the appellant and the fourth respondent within a period of four weeks from the date of receipt of a copy of this order and on receipt of the same, it is open to the parties to workout their remedies in the manner known to law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar()

(*)Corrected as per the order dated 23.01.2023 made in WA.(MD)No.1241/2020

Sd/-

Assistant Registrar()

// True Copy //

/12/2022

Sub Assistant Registrar(CS)

SJ

To

To be Substituted with the order already despatched on 29.12.2022

The Secretary to the Government,
Ministry of Higher Education,
Fort St.George,
Chennai - 600 009.

+1 CC to M/s.M.S.SURESH KUMAR, Advocate (SR-59214[F] dated 01/12/2022)

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-3649[F] dated 24/01/2023)

+1 CC to M/s.SPL.GP (SR-59828[F] dated 02/12/2022)

W.A. (MD) No.1241 of 2020

01.12.2022

SI(28.12.2022) 3P 5C

SS/10/02/2023) 3P 5C