



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

WEB COPY

W.P.(MD)Nos.1745, 2333, 2334 and 2381 of 2016

and

W.M.P.(MD)Nos.1510, 1511, 1926, 2056, 2112 to 2114, 2053 of 2016

W.P.(MD)No.1745 of 2016:

A.Annadurai

... Petitioner

vs.

The Registrar,
Anna University,
Sardar Patel Road,
Chennai 600 025.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the respondent in Advertisement No.001/PR 33/2016, dated 13.01.2016 and to quash the same as illegal and arbitrary and also direct the respondent to regularize the service of the petitioner at once.

W.P.(MD)No.2333 of 2016:

- 1.M,Premakumari
- 2.P.Jothiramalingam
- 3.J.Malaiyappan
- 4.N.Vijayakumar
- 5.M.Subathra
- 6.T.Chandrasekar
- 7.J.Sithivinayagam
- 8.H.Shyamala Devi
- 9.S.Poornima
- 10.P.Ayyadurai
- 11.S.Vijayaragunatharaju
- 12.M.Kayathri
- 13.T.Karthikeyan
- 14.N.Padmanaban
- 15.M.R.Raghu
- 16.S.Anjaladevei
- 17.SBalachandran
- 18.I.Mariasosai
- 19.P.Sivan Kumar
- 20.S.Karthikesan

... Petitioners

vs.



The Registrar,
Anna University,
Sardar Patel Road,
Chennai 600 025.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the respondent in Advertisement No.001/PR 33/2016, dated 13.01.2016 and to quash the same as illegal and arbitrary and also direct the respondent to regularize the service of the petitioners at once.

W.P. (MD)No.2334 of 2016:

- 1.B.Manonmani
- 2.V.Kannan
- 3.A.Dhandapani
- 4.S.Shanmugapriya
- 5.P.Sanjeevee
- 6.M.Saravanan
- 7.J.Mala
- 8.P.Balaji
- 9.M.Shanthi
- 10.A.Syed Subahani
- 11.C.Sathish Kumar
- 12.S.Mahalakshmi
- 13.S.Malathi
- 14.G.Kayalvizhi
- 15.C.Velmurugan
- 16.V.Periyasamy
- 17.V.Akilandeswari
- 18.C.Sundari
- 19.K.Vijayalakshmi
- 20.A.Sumathi

... Petitioners

vs.

The Registrar,
Anna University,
Sardar Patel Road,
Chennai 600 025.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the respondent in Advertisement No.001/PR 33/2016, dated 13.01.2016 and to quash the same as illegal and arbitrary and also direct the respondent to regularize the service of the petitioners at once.

W.P. (MD)No.2381 of 2016:

- 1.S.Revathi
- 2.C.Muthuchelvi



3.M.Thirunirai Senthamil Selvi

... Petitioners

vs.

The Registrar,
Anna University,
Sardar Patel Road,
Chennai 600 025.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the respondent in Advertisement No.001/PR 33/2016, dated 13.01.2016 and to quash the same as illegal and arbitrary and also direct the respondent to regularize the service of the petitioners at once.

In all cases:

For Petitioner : Mr.A.Rishab
for Mr.P.Ganapathi Subramanian
For Respondents : Mr.E.V.N.Siva

O R D E R

These Writ Petitions are filed challenging the impugned advertisement, dated 13.01.2016 and a consequential relief to regularize the petitioners' service in the post, which they are holding.

2.The petitioner in W.P.(MD)No.1745 of 2016, was appointed as Professional Assistant-II for consolidated pay of Rs.3,000/-. Then the petitioner's pay was revised as daily wages basis. Presently, he is receiving Rs.541/- per day. The petitioner has qualified B.Sc., (Physics) and M.A. (Public Administration). While the petitioner was serving in the institution, the respondents have issued an Advertisement, dated 13.01.2016, inviting application from the eligible persons for the post of Junior Assistant and Office Assistant and the vacancy was shown as 45 and 75 respectively.

3.The contention of the petitioner is that since he is eligible to the said post, rather than calling from open market, the respondent ought to regularize the petitioner in the said post. There are similar Writ Petitions filed before the Principal Bench and this Court.

4. The Learned Counsel for the respondent submitted that since the advertisement was challenged in several writ petitions the respondent has not proceeded further based on the said Advertisement. And also submitted if at all recruitment is necessary, the University will issue a fresh advertisement and will not proceed with the impugned advertisement. The said submission is being recorded. The writ petitioners have filed this writ petition to quash the advertisement dated 13.01.2016 and as stated supra the part of the prayer is considered by the respondent and hence the



impugned advertisement is quashed.

5. The other part of the prayer is to regularize the petitioner's service. Since the respondent has every right to decide to recruit meritorious candidate based on the need of the institution, the petitioners cannot claim regularization as a matter of right. However, seeing the long tenure of the petitioners from 2008 onwards, the petitioner is entitled to some weightage.

6. Therefore, the respondents are directed to consider the petitioners' long service and grant some weightage, even if new recruitment process is carried out. If need be, the age relaxation shall also be granted to the petitioners.

7. With the above direction, the 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)

Tmg

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

TO:

The Registrar,
Anna University,
Sardar Patel Road,
Chennai 600 025.

+4 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-16464 to 16467 [F] dated 04/04/2022)

W.P.(MD)Nos.1745, 2333, 2334 and 2381 of 2016
31.03.2022

RD(26.04.2022) 4P 6C