



Writ Petition No.2167 of 2023

For Petitioner : Mr.V.Ajayakumar

For Respondents : Mr.A.Tamilvannan
Additional Government Pleader (P) [R1]

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to regularize the services of the petitioner as Assistant Professor with effect from 04.11.2002 with all consequential benefits.

2. The case of the petitioner is that she was appointed as an Accompanist during October 2001 in the Department of Dance on hourly wages. The petitioner is possessing Ph.D in Music and according to the petitioner, she is fully qualified to the post of Assistant Professor as per Rules.

3. The further case of the petitioner is that she was posted as a lecturer on a consolidated pay basis and in spite of the petitioner putting in nearly 21 years of service, her services were not regularized.



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4. The petitioner has made an averment in the affidavit filed in support of the writ petition that nearly 150 lecturers, who were working as Assistant Professors were regularized and whereas, when it came to the case of the petitioner, the same was kept pending. Ultimately, the representation submitted by the petitioner was placed before the Governing Body and the Governing Body passed a resolution on 27.12.2016 in favour of the petitioner recommending for her regularization as was done for similarly placed persons.

5. The grievance of the petitioner is that in spite of the recommendation made by the Governing Body and in spite of the petitioner fulfilling all the requirements, the first respondent was not taking any steps to regularize the services of the petitioner. Since 21 years have been completed by the petitioner and there was no visibility on her regularization, the present writ petition has been filed seeking for appropriate direction.

6. Heard Mr.V.Ajayakumar, learned counsel for the petitioner and Mr.A.Tamilvannan, learned Additional Government Pleader (P), appearing for the first respondent.



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7. Taking into consideration the facts and circumstances of the case and also the fact that the Governing Body had already approved the proposal of regularization of the petitioner and the same is pending before the first respondent without any final decision being taken, there shall be a direction to the first respondent to consider the case of the petitioner on its own merits and in accordance with law and take a decision within a period of six (6) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with all relevant documents and also a copy of this order.

Accordingly, this Writ Petition is disposed of with the above direction.

No costs. Consequently, connected miscellaneous petition is closed.

31.01.2023

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

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To



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The Secretary to Government
for Education, Chief Secretariat,
Puducherry.

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N.ANAND VENKATESH, J



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Writ Petition No. 2167 of 2023

31.01.2023