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W.P.Nos.9287, 9291, 9476, 9479, 9597, 9603, 9817, 9819 & 9293/2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. Nos. 9287, 9291, 9476, 9479, 9597, 9603, 9817, 9819 & 9293 of 2021

K.Jayaseelan	... Petitioner in W.P.No.9287/2021
Punitha	... Petitioner in W.P.No.9291/2021
Govindharaj	... Petitioner in W.P.No.9476/2021
Mourougane @ M.Murugan	... Petitioner in W.P.No.9479/2021
Ezhilarasi	... Petitioner in W.P.No.9597/2021
L.Padmini	... Petitioner in W.P.No.9603/2021
M.Anandhan	... Petitioner in W.P.No.9817/2021
K.Valli	... Petitioner in W.P.No.9819/2021
R.Muniappan @ R.Mouniappane	... Petitioner in W.P.No.9293/2021

/vs/

1. Union of India,
Rep. by its Secretary to the Government,
Ministry of Human Resource Development,
New Delhi.
2. The Secretary to Government,
Department of Revenue,
Government of Pondicherry,



W.P.Nos.9287, 9291, 9476, 9479, 9597, 9603, 9817, 9819 & 9293/2021

Pondicherry.

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3. The Vice Chancellor,
Pondicherry University (Central University),
Kalapet, Pondicherry - 605 014.

4. The Registrar,
Pondicherry University (Central University)
Kalapet, Pondicherry – 605 014.

5. The Registrar,
Pondicherry Engineering College,
Kalapet, Pondicherry – 605 014.

6. The Registrar,
Govt. Law College,
Kalapet, Pondicherry – 605 014.

... Respondents in all W.P's.

Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order passed in minutes of the meeting dated 28.04.2018 in 103 column by the Pondicherry University (Respondent 3) and quash the same as illegal, unjust and consequently direct the respondents to appoint the petitioners in the appropriate (Group C & D) existing post or future vacancies in the Pondicherry University (Central University) or Pondicherry Engineering College or Govt. Law College, Kalapet, Pondicherry in terms of the policy scheme dated 18.05.1989 & 12.12.2017 evolved by the Government of Puducherry to give appointment to members / wards of the family of the persons whose lands have been acquired by the first respondent



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/ Government of Puducherry under the schemes of the Land Acquisition Act,
1894.

In all W.P.'s:

For Petitioner	...	Ms.Usharamman
For Respondents	...	Ms.V.Sudha
		Central Govt. Standing Counsel for R1
		Mr.Ramaswamy Meyyappan
		Govt. Advocate (Puducherry) for R2&R6
		Mr.M.Ravi for R3 & R4
		Mr.R.Syed Mustafa for R5

COMMON ORDER

These Writ Petitions are filed to quash the impugned order passed in minutes of the meeting dated 28.04.2018 in 103 column by the Pondicherry University (Respondent 3) as illegal and to direct the respondents to appoint the petitioners in the appropriate (Group C & D) existing post or future vacancies in the Pondicherry University (Central University) or Pondicherry Engineering College or Govt. Law College, Kalapet, Pondicherry in terms of the policy scheme dated 18.05.1989 & 12.12.2017.

2. The petitioners who are the land owners of the lands acquired by the



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respondent University in the existing and future vacancies, by considering the fact that their land also been acquired by the University. However these writ petitions have been dismissed on the observation that the University has closed the issue and decided that the job for land scheme is no more feasible and to that effect a resolution has been passed on 28.04.2018.

4. It appears from the letter of Public Grievances Officer of the Pondicherry University dated 30.11.1993 addressed to the petitioner in W.P.No.9287of 2021 that it is not feasible to comply the scheme in his case as there is no vacancy under the land affected category in the University.

5. Though it is vehemently argued by Mr.M.Ravi, learned counsel for the respondents 3 and 4, that the petitioners have approached the University only after thirty years, the fact remains that the petitioners have been renewing their request even from the year 1993. In fact the University itself has responded to the petitioner in W.P.No.9287/2021 that there was no vacancy available. It is submitted by the learned counsel for the respondents 3 and 4 that as per the UGC guidelines, the staff strength between the



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teaching and non-teaching staff should be in the ratio of 1:1:1. However due to employment offered to the land owners, the non-teaching strength has increased beyond the permitted limit and that was objected during the audit of the University.

6. The petitioners' only grievance is that when the other land owners have been considered under the scheme, they were not considered and the University has closed the scheme vide impugned resolution dated 28.04.2018. Though in the minutes of the meeting dated 18.05.1989, it was agreed by the third respondent that employment opportunities were given to the land owners who have lost their lands, there was no separate agreement entered into between the land owners and the University on a case to case basis. In the meeting of the authorities of the University with the Hon'ble Chief Minister of Pondicherry, it has been agreed as a goodwill gesture to offer employment to the people who lost their lands. But subsequently no scheme was drafted by taking into consideration of the number of vacancies, number of applicants and the feasibility of the accommodating the applicants in accordance with the permitted limit of the ratio between the non-teaching and



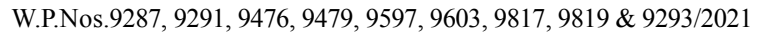
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teaching staff of the University.

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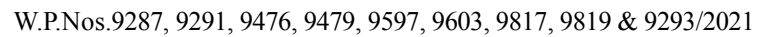
7. Despite the University was able to consider certain cases and offered them employment, it is unfortunate that such accommodation cannot be given to others who were also rushing to the doors of the University with an expectation that they would also get some appointment. In fact, the earlier writ petitions have also been filed for the same relief and the petitions were dismissed with a liberty to the petitioners to workout their remedy in a manner known to law. Believing that the above observation is in respect of challenging the resolution of the University dated 28.04.2018 which closed the issue of providing job for the land owners, the petitioners have come before this Court by challenging the above resolution.

8. It is understandable if the University does not offer employment despite having vacancies and that the filling up the vacancy as per the guidelines of UGC is feasible. Since the respondents 3 and 4 found it impossible to absorb the petitioners and similar others in any future



9. In the minutes of the meeting of the Committee to consider the status of the application received from the people whose lands have been acquired for establishing the University held on 12.04.2017 in the Registrar's Chamber, Pondicherry University, some discussions have been held. In the discussions it was also thought fit to recall the accommodation given to some of the applicants coming under the category of the land owners who have been accommodated in various possible ways.

10. Taking into consideration of the plight of the people who lost their



lands and life and have given several applications for seeking job, it is appropriate to show some benevolence by the Government of Puducherry.

11. Since the meeting held between the Hon'ble Chief Minister of Pondicherry with the authorities of the University and some assurance arrived, the second respondent shall provide suitable employment to the petitioners whenever feasible opportunities are available.

12. In view of the above observations, these Writ Petitions are disposed. No costs.

15 .11.2023

Index: Yes / No
Speaking order / Non-speaking order
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To:

1. The Secretary to the Government,
Union of India,
Ministry of Human Resource Development,
New Delhi.
2. The Secretary to Government,
Department of Revenue,



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Government of Pondicherry,
Pondicherry.

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R.N.MANJULA ,J.

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