



WEB COPY



W.P.No.8320 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2023

CORAM:

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

Writ Petition.No.8320 of 2015

V.K.Nelson

... Petitioner

Vs.

1.Government of Tamil Nadu,
Represented by Secretary to Government,
Higher Education Department,
Secretariat, Chennai-600 009.

2.The Commissioner/Principal Secretary/
Director of Technical Education,
Chennai-600 025.

3.The Principal,
Government Engineering College,
Salem-636 011.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus directing the respondents to consider the claim of the petitioner to redesignate the petitioner as Associate Professor/Mathematics as on 01.03.2006 in the light of the provisions in paras (1) (xi) and (xv) of Appendix-I under the CAS of G.O.MS.No.95, Higher Education (C2) Department, dated 05.05.2010 and on completion of



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3 years of service and as such absorb him as Professor/Mathematics w.e.f. 01.03.2009 with consequential benefits.

For Petitioner : M/s.T.Subhiksha
for Mr.M.Ravi

For Respondents : M/s.M.Jayanthy
Additional Government Pleader

ORDER

This Writ Petition is filed seeking for mandamus directing the respondents to consider the claim of the petitioner to re-designate the petitioner as Associate Professor/ Mathematics as on 01.03.2006 in the light of the provisions in paras (1)(xi) and (xv) of the Appendix-I under the CAS of G.O.Ms.No.95, Higher Education (C2) Department dated 05.05.2010 and on completion of 3 years of service and as such absorb him as Professor/Mathematics w.e.f. 01.03.2009 with consequential benefits.

2. The second respondent has filed detailed counter stating that the relief sought by the petitioner will be complied with after constituting a committee at the earliest and the relevant paragraph of the counter affidavit of the second respondent is extracted as under:

*“6. It is submitted that based on the AICTE
Notifications dated 08.11.2012 and subsequent*



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clarification dated 04.10.2016, the State Government of Tamil Nadu have issued G.O.(Ms).No.62, Higher (C2) Department, dated 02.04.2018 for the implementation of Career Advancement Scheme for the Teachers and other Academic Staff working in Government and Government Aided Engineering Colleges.”

3. It is submitted by the Additional Government Pleader subsequent to filing of the counter affidavit, the respondents have issued proceeding vide செயல்முறை ஆணை எண்.21337.ஏ2.2018/4 dated 22.12.2018, providing benefits as sought by the petitioner and the copy of the same was also given to the petitioner.

4. In view of the relief sought for by the petitioner is fulfilled further direction cannot be given in this case. Accordingly, this Writ Petition is disposed of. No costs.

06.12.2023

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Index:Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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Dr.D. NAGARJUN, J.

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To

1. Government of Tamil Nadu,
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2. The Commissioner/Principal Secretary/
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