



W.P.No.25462 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.25462 of 2023
and
W.M.P.No.24854 of 2023

Dr.P.V.Bose

... Petitioner

Vs.

1.The Vice Chairman-cum-
Secretary to Government (Art & Culture)
Government of Puducherry,
Puducherry.

2.The Member Secretary,
Bharathiar Palkalaikoodam,
Cuddalore Main Road, Ariyankuppam,
Puducherry.

3.The Registrar,
Pondicherry University,
R.V.Nagar, Kalapet,
Puducherry – 605 014.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the 1st Respondent by proceedings in 2494/ Secy / (A and C) / 2023- 24 (i) dated 27.07.2023 and quash the same and consequently direct the 1st respondent to permit the petitioner to continue as principal in- Charge till the appointment of regular principal by considering the name of the



W.P.No.25462 of 2023

Petitioner for the post of regular Principal in the 2nd Respondent Institution.

For Petitioner : Mr.P.Saravana Sowmiyan

For Respondents : Mr.R.Syed Mustafa
Special Government Pleader
(Pondicherry)

ORDER

This writ petition has been filed challenging the order of the 1st respondent dated 27.07.2023, relieving the petitioner from the charges of the post of Principal (i/c), consequent on the proposal for contemplation of disciplinary proceedings against the petitioner.

2.It is the case of the petitioner that he was given additional charge of the post of Principal of Bharathiar Palkalaikoodam vide order of the 1st respondent dated 22.09.2021 and the petitioner is performing his duties as Principal for the past one year. However, now, the impugned order, dated 27.07.2023, has been passed relieving the petitioner from the additional charge with immediate effect. Challenging the same, the writ petition has been filed.



W.P.No.25462 of 2023

WEB COPY

3.Heard the learned counsel for the petitioner and Mr.R.Syed Mustafa, learned Special Government Pleader (Pondicherry), who takes notice for the respondents.

4.At the outset, this Court is of the view that the petitioner cannot claim as a matter of right to hold the charge of Principal. The Office Order of the 1st respondent dated 22.09.2021 makes it clear that the petitioner was given only additional charge to perform as a Principal and this additional charge is in addition to his normal duties and without any extra remuneration. It also makes it clear that he was given such additional charge till the regular Principal is appointed or until further orders. When a substantive post falls vacant, normally, another eligible person is given in-charge till the substantive vacancy is filled up. In such view of the matter, merely because the petitioner has been posted in-charge of Principal by way of an Office Order, the same will not enure to the benefit or right to the petitioner to continue to hold the charge or to challenge his relieving from that charge.



W.P.No.25462 of 2023

WEB COPY

5. Therefore, I do not find any merit in this writ petition.

Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

30.08.2023

(1/2)

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1. The Vice Chairman-cum-
Secretary to Government (Art & Culture)
Government of Puducherry,
Puducherry.

2. The Member Secretary,
Bharathiar Palkalaikoodam,
Cuddalore Main Road, Ariyankuppam,
Puducherry.

3. The Registrar,
Pondicherry University,
R.V.Nagar, Kalapet,
Puducherry – 605 014.



WEB COPY



W.P.No.25462 of 2023

N. SATHISH KUMAR, J.
mkn

W.P.No.25462 of 2023

30.08.2023
(1/2)