



W.P.(MD)No.1342 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1342 of 2020

and

W.M.P.(MD)No.1088 of 2020

Fisheries University Teachers Association,
Rep. by its General Manager,
Prof.R.Jeyashakila,
Having registered office at
3a/180 T.V.K. Nagar,
FCI Godown Opposite,
Bye Pass Road,
Thoothukudi - 628 008.

: Petitioner

Vs

- 1.The Chancellor/ Governor of Tamil Nadu,
Tamil Nadu Dr.J.Jayalalitha Fisheries University,
Vettar River View Campus,
Nagapattinam.
- 2.The Principal Secretary to Government
The Government of Tamil Nadu,
Animal Husbandry Dairying and Fisheries,
Chennai.



W.P.(MD)No.1342 of 2020

WEB COPY

3. The Registrar

Tamil Nadu Dr.J.Jayalalitha Fisheries University,
Vettar River View Campus,
Nagapattinam.

4. The Vice Chancellor

Tamil Nadu Dr.J.Jayalalitha Fisheries University,
Vettar River View Campus,
Nagapattinam.

5. Dr.A.Srinivasan

The Registrar,
Tamil Nadu Dr.J.Jayalalitha Fisheries University,
Vettar River View Campus,
Nagapattinam.

6. Dr.S.Felix

The Vice Chancellor,
Tamil Nadu Dr.J.Jayalalitha Fisheries University,
Vettar River View Campus,
Nagapattinam.

7. The Dean

Fisheries College and Research Institute,
Myladi,
Kanyakumari District.

8. The Dean

College of Fisheries Nautical Technology,
Thoothukudi,
Thoothukudi District.



W.P.(MD)No.1342 of 2020

9. The Director
Paraprofessional Institute of Fishing Technology,
Mandapam,
Ramanathapuram,
Ramanathapuram District.

: Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the second respondent to conduct an enquiry over respondent Nos.5 and 6 in accordance with section 11(3)(b) of Tamil Nadu Fisheries Universities Act, 2012 and consequentially forward the said enquiry report to Respondent No.1 and take necessary action against respondent Nos.5 and 6 from their office.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.S.P.Maharajan - for R2
Special Government Pleader

Mr.V.Vijaya Shankar - for R3

No Appearance - For R1, R4 to R6 and R9

Unserved - R7

Tapal due - R8



W.P.(MD)No.1342 of 2020

ORDER

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This writ petition has been filed to direct the second respondent to conduct an enquiry over respondent Nos.5 and 6 in accordance with Section 11(3)(b) of Tamil Nadu Fisheries Universities Act, 2012 and consequently forward the said enquiry report to Respondent No.1 and take necessary action against respondent Nos.5 and 6 from their office.

2. The case of the petitioner is that the petitioner is the General Secretary of Fisheries University Teachers Association. The said association was registered under Tamil Nadu Societies Registration Act, 1975.

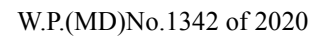
3. The grievance of the petitioner is that the sixth respondent has started 9 self-financing colleges offering 10 different degree courses within a period of 2-1/2 years without approval of the Government, which is a requirement as per Tamil Nadu Fisheries Universities Act, 2012 and the sixth respondent diverted huge sum of money from the University Corpus



W.P.(MD)No.1342 of 2020

WEB COPY

Fund, ICAR Development grant meant for regular B.F.Sc., and other Government funds, without the Government approval. Due to which, the regular degree programmes are not conducted and further the sixth respondent had also transferred staff members to teach in self-financing colleges and while so, the fifth respondent published an advertisement, dated 27.06.2018 for recruitment to the post of Assistant Professor, in which, it was published that minimum qualification for recruitment of Assistant Professor is Bio-Technology, Fish Nutrition and Feed Technology and Fish Physiology and Bio-Chemistry was to possess any basic degree of B.Sc., which violates Tamil Nadu Fisheries Universities Act, Rules and Regulation. The sixth respondent has formed illegal Doctoral Advisory Committees for five Ph.D., students violating the Tamil Nadu Fisheries Universities Regulation, 2015 and for taking appropriate action against the private respondents, the petitioner made a representation, dated 04.01.2020 to the respondents 1 and 2. However, no order was passed, hence, the present writ petition is filed.



5. The learned Special Government Pleader appearing for the second respondent submitted that already the private respondents left their service and they are no longer in service. However, the representation of the petitioner will be considered in the manner known to law.

6. Considering the limited request made by the learned counsel for the petitioner, this Court directs the second respondent to consider the petitioner's representation, dated 04.01.2020 and pass appropriate orders on merits and in accordance with law, after providing opportunity to the respondent 5 and 6, within a period of six weeks from the date of receipt of a copy of this order.



W.P.(MD)No.1342 of 2020

WEB COPY

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

02.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

RM

To

1.The Principal Secretary to Government
The Government of Tamil Nadu,
Animal Husbandry Dairying and Fisheries,
Chennai.



WEB COPY



W.P.(MD)No.1342 of 2020

M.DHANDAPANI,J.

RM

W.P.(MD)No.1342 of 2020

02.01.2023