



W.P(MD)No.15598 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15598 of 2020

P.Arul Deva Paul

... Petitioner

Vs.

R1 is deleted vide Court order
dated 03.04.2023

- 2.The Registrar,
Manonmaniam Sundaranar University,
Tirunelveli.
- 3.The Bishop,
Church of South India Kanyakumari Diocese,
Dennison Road, Nagercoil,
Kanyakumari District.
- 4.Church of South India Kanyakumari Diocese,
represented by its Secretary,
Dennison Road, Nagercoil,
Kanyakumari District.
- 5.The Nesamony Memorial Christian College,
Represented by its Correspondent / Secretary,
Marthandam,
Kanyakumari District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 3 to 5 herein to regularize the petitioner's appointment as Assistant Professor of Physical Education in the Department of Physical Education and Sports in 5th respondent college from the date of his joining into the service namely 20.06.2019 on the basis of the petitioner's representation made before them by RPAD dated 12.10.2020.

For Petitioner : Mr.B.Brijesh Kishore

For R2 : Mr.P.Mohammed Suhal
for Ajmal Associates

For R3 and R4 : No appearance

For R5 : Mr.K.Ragadheeshkumar

ORDER

Heard the learned counsel on either side.

2. The petitioner was appointed in the fifth respondent college as Assistant Professor in the Department of Physical Education under self financing scheme. The fifth respondent is an aided minority institution. Seeking regularization in the said post, the present writ petition has been filed.



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3. When the matter was taken up for hearing, the learned counsel for the respondents 3 to 5 submitted that in view of the subsequent development, the matter has become infructuous. It is pointed out that the petitioner was appointed as a management staff on 04.04.2022. The question of regularizing the petitioner does not arise at all. The relief of regularization is sought in writ proceedings only against the Government. As the petitioner was appointed under the self-financing scheme, the question of directing regularization in the said post does not arise at all. As and when vacancies arises in future, I certain that the petitioner's case also will be considered as per the diocesan norms. There is no question of granting relief at this stage.

4. With these observations, this writ petition is disposed of.

03.04.2023

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

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G.R.SWAMINATHAN, J.

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