



W.P.(MD).No.16528 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.16528 of 2023

M.P.Indragandhi

... Petitioner

Vs.

1.The Chairman cum Vice Chancellor,
The Executive Council,
Mother Teresa Women's University,
Kodaikanal, Dindigul District.

2.The Registrar,
Mother Teresa Women's University,
Kodaikanal,
Dindigul District.

3.The Principal Secretary to Government,
Higher Education Department,
Secretariat,
Chennai – 9.

... Respondents

(R – 3 *suo motu* impleaded vide order
dated 01.08.2023)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider and promote the petitioner to the post of Professor with effect from 09.04.2013 by considering her representation dated 15.02.2023 followed by reminders dated 14.03.2023, 27.04.2023, 12.05.2023 and 19.06.2023.

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For Petitioner	: Mr.T.Lenin Kumar
For RR 1 & 2	: Mr.N.Shanmugaselvam Standing Counsel
For R – 3	: Mr.N.Ramesh Arumugam Government Advocate

ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to consider and promote the petitioner to the post of Professor with effect from 09.04.2013 by considering her representation dated 15.02.2023 followed by reminders dated 14.03.2023, 27.04.2023, 12.05.2023 and 19.06.2023.

2.Heard Mr.T.Lenin Kumar, learned counsel appearing for the petitioner, Mr.N.Shanmuga Selvam, learned Standing Counsel appearing for the respondents 1 and 2 and Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the third respondent and perused the materials available on record.



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3.The Principal Secretary to Government, Higher Education Department, Chennai - 9, is *suo motu* impleaded as the third respondent in the Writ Petition.

4.The petitioner is working as a Lecturer in the Department of Computer Science in the respondent University on 09.06.1999. She completed her probation period of two years on 08.06.2001. She was selected to the said post through Direct Recruitment on the basis of her qualification. The petitioner was fully qualified to be promoted as Lecturer (senior scale). However, due to the inaction of the selection committee by not convening the periodical consideration of the promotion for the eligible candidates, the petitioner lost her chance of promotion in time. The petitioner made several representations, and the last of which was made on 02.11.2009 to the respondents. Since the same was not considered, the petitioner filed a Writ Petition in W.P(MD)No.13914 of 2009 before this Court seeking to consider her representation and promote her to the post of Lecturer and the said Writ Petition was allowed directing the first respondent therein to consider her representation within a period of six weeks. Thereafter, the first respondent University recommended the case of the petitioner



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for promotion, requesting the Government to give ratification for the appointment of Dr.S.Vimala and the petitioner with Ph.D qualification and the same is pending before the Government for consideration and the second respondent University has written a letter to the Government to that effect on 16.08.2022. However, the file is still pending before the Government for appropriate appreciation.

5.In view of the same, the third respondent is directed to consider the proposal which has been sent on behalf of the petitioner by Mother Teresa Women's University on 16.08.2022 and approve the petitioner's promotion and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of.
There shall be no order as to costs.

01.08.2023

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

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L.VICTORIA GOWRI, J.

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