



W.P.(MD) No.28210 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD) Nos.28210, 26321 to 26327 of 2022
and WMP (MD) Nos.22282, 22285, 20490 to 20495,20497 to 20505 of
2022

W.P.No.28210/2022

J.Shifa Vanmathi

... Petitioner

-VS-

1.The Principal Secretary to Government
Higher Education Department
Government of Tamilnadu
Secretariat, St. George Fort, Chennai.

2.The Director,
The Director of Collegiate Education,
EVK Sampath Maaligai
DPI Campus, Nungambakkam
Chennai.

3 The Chairman,
Teacher Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, Nungambakkam, Chennai 600 006.

... Respondents



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Common Prayer:- Petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records of the 1st respondent pertaining to the impugned orders in G.O.Ms.Nos.246, 247 and 248 dated 08.01.2022 and quash the same as illegal and arbitrary and consequently direct the respondents to complete the certificate verification and interview pursuant to the 3rd respondent notification No.12/2019 dated 28.08.2019 and 04.10.2019 and complete the selection process as per law within the time frame that may be stipulated by this Court.

For Petitioner : Mr.R.M.Suresh

For Respondents : Mr.T.Amjad Khan for R1 & R2
Government Advocate
Mr.VR.Shanmuganathan for R3

COMMON ORDER

The challenge made in the writ petitions is one and the same and hence, the writ petitions are disposed of by this common order.

2.Challenging the impugned G.O.Ms.Nos.246, 247 and 248 dated 08.01.2022 and for a direction to the respondents to complete the certificate verification and interview pursuant to the 3rd respondent notification No.



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12/2019 dated 28.08.2019 and 04.10.2019 and complete the selection process as per law.

3. The learned counsel for the petitioners would submit that the petitioners are working as Guest Lecturers in the private Colleges, whereas the Government vide impugned G.O.Nos.246, 247 and 248 awarded weightage marks to the Guest Lecturers working in the Government Colleges. However, weightage marks are not awarded to the petitioners working in the private colleges and hence, they are before this Court challenging the said G.Os.

4. The learned counsel for the petitioners would submit that the Government Colleges are recognized by the University Grants Commission and affiliated colleges are affiliated to the respective Universities. Similarly, when the Guest Lecturers working in the Government Colleges are entitled for weightage marks, the same benefit shall also be given to the Guest Lecturers working in the private colleges, which are also affiliated to the respective Universities and therefore, ignoring the private college Guest



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Lecturers, giving weightage marks to only Government College Lecturers is in violation of Article 14 of the Constitution of India. The learned counsel would further submit that it would suffice, if a direction is issued to the respondents to consider the petitioners for giving weightage marks.

5. Heard the learned counsel for the petitioner, learned Government Advocate for the respondents 1 and 2 and the learned standing counsel for the third respondent.

6. Considering the facts and circumstances of the case and considering the submissions and consent given by either side, this Court, without going into the merits of contentions raised by the petitioners, directs the respondents to consider the petitioners' claim for weightage marks on par with Guest Lecturers working in Government Colleges and pass orders within a period of eight weeks from the date of receipt of a copy of this order.



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7. The writ petitions are disposed of accordingly. No costs.

Consequently connected Miscellaneous Petitions are closed.

05.01.2023

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

RR

To

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Higher Education Department
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Secretariat, St. George Fort,
Chennai.

2.The Director,
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M.DHANDAPANI, J.

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