



W.P.(MD)No.29153 of 2022

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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.29153 of 2022

W.M.P(MD).No.23102 and 23104 of 2022

K.Rajaram

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep.by its Principal Secretary,
Higher Education Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The Director of Collegiate Education,
Directorate of Collegiate Education,
EVK Sampath Building, College Road,
Chennai-600 006.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the records pertaining to the impugned order in G.O.Ms.No.269, Higher Education Department, dated 25.11.2022, on the file of the respondent No.1 and quash the same as illegal to the extent of giving priority to the persons residing within 25 km to the Government Colleges and to the extent of not giving priority to those who have served in the State Universities on



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par with those who have served in Government Colleges and consequently to direct the respondents to make the recruitment to the post of Guest Lecturers to the Government Arts and Science Colleges by giving priority to those who had participated in the certificate verification in the selection to the post of Assistant Professors in Government Arts and Science Colleges within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.S.Saji Bino
Special Government Pleader

ORDER

This Writ Petition has been filed to call for the records pertaining to the impugned Government Order in G.O.(Ms).No.269, Higher Education Department, dated 25.11.2022, by the first respondent, quash the same as illegal to the extent of giving priority to the persons residing within 25 km to the Government Colleges and to the extent of not giving priority to those who have served in the State Universities on par with those who have served in Government Colleges and direct the respondents to make recruitment to the post of Guest Lecturers to the Government Arts and Science Colleges by giving priority to those who



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had participated in the certificate verification in the selection to the post of Assistant Professors in Government Arts and Science Colleges, within the time stipulated by this Court.

2. The case of the petitioner is that the petitioner has studied B.A., & M.A., in History and M.Phil, in History and he has cleared the State Eligibility Test in the year 2012. He is now serving as the Temporary Assistant Professor (Guest Lecturer), at RVS Kumaran Arts and Science College, Ayyalur, Dindigul District and he belongs to Scheduled Caste Community. He was hopeful that he would get the employment as the Assistant Professor in the Collegiate Education and in the recruitment to the post of Guest Lecturers in the Government Colleges. However, in the impugned Government order issued by the first respondent, it has been stated in clause 4(v) that if more than one applicant has secured same mark, those who are residing within 20 or 25 Km from the place of dependent College, would be given priority to the post of Guest Lecturer, which is not sustainable one. Challenging the same, the present writ petition has been filed.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is a native of Vendasandur Taluk, Dindigul District and in and around Vendasandur Taluk, no Government College is available. Therefore, the impugned Government Order passed by the 1st respondent is clear violation of Article 14 of the Constitution of India.

4. The learned Special Government Pleader appearing for the respondents would submit that the petitioner is the native of Vendasandur Taluk, Dindigul District and in and around Vendasandur Taluk, Dindigul District, five Government Colleges are situated and within 25 kms of his native place, two Government Colleges are available. Hence, the grievance expressed by the petitioner is not sustainable.

5. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.



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6. The facts in the present case are not in dispute. Admittedly, the petitioner has filed the present writ petition challenging the Government order in G.O.(Ms).No.269, Higher Education Department, dated 25.11.2022, issued by the first respondent to fill up 1,895 posts of Guest Lecturer on consolidated pay for a period of 11 months only and the said recruitment is a temporary recruitment. In the impugned Government Order issued by the first respondent, it has been specifically stated that if more than one applicant has secured same mark, the persons, who are residing within 20 or 25 kms from the place of dependent College, would be given priority to the post of Guest Lecturers. The petitioner is a native of Vendasandur Taluk, Dindigul District and in and around of Vendasandur Taluk, Dindigul District, five Government Colleges are situated and, two Government Colleges are available within 25 kms of his native place. Hence, the grievance expressed by the petitioner in the present writ petition cannot be considered.



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7. Accordingly, this Writ Petition is dismissed. No costs.

Connected miscellaneous petitions are closed.

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NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To

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2.The Director of Collegiate Education,
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M.DHANDAPANI,J.

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