



WEB COPY

W.P.No.20692



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.20692 of 2015

and

M.P.No.2 of 2015

N.Sailapathi

... Petitioner

Vs.

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

2.The Director of Collegiate Education,
EVK Sampath Maligai, 9th Floor,
College Road,
Chennai 600 009.

3.The Member Secretary,
Teachers Recruitment Board,
EVK Sampath Maligai,
DPI Compound, College Road,
Chennai 600 006.

4.The University Grants Commission,
Rep. by the Secretary,
Bahadursha Zafar Marg,
New Delhhi 110 002.

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the notification/Advertisement No.4/2013, dated 28.05.2013 on the file of the Respondent No.3 and quash the same as illegal to the extent of prescribing the education qualification as Ph.D. In the relevant subject merely without the specific insistence for the Ph.D. Degree in compliance of the “University Grants Commissioner (Minimum Standards and Procedure for award of Ph.D. Degree) Regulation 2009” and consequently to direct the respondent No.3 to reject all candidatures without the education qualification of NET/SLET or Ph.D. Degree in compliance of the “University Grants Commission ((Minimum Standards and Procedure for award of Ph.D. Degree) Regulation 2009”.

For Petitioner	: Mr.R.Mohammed Nasrullah for M/s.R.Prabhakaran
For R1 to R3	: Mr.L.Jaya Prakash Government Advocate
For R4	: Mr.P.R.Gopinath.

ORDER

This writ petition has been filed seeking writ of certiorarified mandamus to call for the records pertaining to the notification/Advertisement No.4/2013, dated 28.05.2013 issued by the 3rd respondent and to quash the same to the extent of prescribing the education qualification as Ph.D in the relevant subject



merely without the specific insistence for the Ph.D. Degree in compliance of the “University Grants Commission (Minimum Standards and Procedure for award of Ph.D. Degree) Regulation 2009” and consequently to direct the respondent No.3 to reject all candidatures without the education qualification of NET/SLET or Ph.D. Degree in compliance of the “University Grants Commission ((Minimum Standards and Procedure for award of Ph.D. Degree) Regulation 2009”.

2. Today, when the matter is taken up for consideration, it is brought to the notice of this Court by the learned counsel for the 3rd respondent that the recruitment process that was initiated pursuant to the impugned advertisement No.4/2013 was already concluded as early as in the year 2015 itself.

3. As the recruitment process initiated pursuant to the impugned advertisement was already concluded and the selected candidates were not made as parties to this writ petition and also the fact that there was no interim stay that was passed by this Court in the present writ petition, in the considered view of this Court, the relief sought for in this present writ petition has become infructuous. Even otherwise, the relief sought for cannot be considered, in the



absence of the affected parties being impleaded as parties/respondents to this writ petition.

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4. In the circumstances, this writ petition is dismissed. The connected miscellaneous petitions, if any, shall stand closed. No costs.

24.10.2024

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

- 1.The Principal Secretary,
State of Tamil Nadu,
Department of Higher Education,
Fort St. George, Chennai 600 009.
- 2.The Director of Collegiate Education,
EVK Sampath Maligai, 9th Floor,
College Road,
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- 3.The Member Secretary,
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MUMMINENI SUDHEER KUMAR, J.

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