



W.P.No.17438 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.17438 of 2022

C.Sakthivel

... Petitioner

-Vs-

1.Periyar University,
Rep.by its Registrar,
Periyar Palkalai Nagar,
Salem-636 011

2.T.Periasamy
Professor and HOD,
Department of Tamil,
Periyar University,
Salem-636 011

3.The Director of Vigilance and Anti Corruption,
Chennai-600 032.

4.The Commissioner of Police,
Salem-636 001.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the the 3rd and 4th respondents to take lawful action on the petitioner's representation made to them dated 09.12.2019 and 12.10.2021 respectively.



W.P.No.17438 of 2022

For Petitioner : Ms.V.Porkodi
For R1 : Mr.Godson Swaminathan,
Standing Counsel
for M/s.Isaac Chambers
For R2 : Mr.L.Chandrakumar
For R3 & R4 : Mr.R.Murthy
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed for a direction directing the third and fourth respondents to consider the representation of the petitioner dated 09.12.2019 and 12.10.2021 respectively seeking appropriate action as against the second respondent.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The specific case of the petitioner is that the second respondent has been appointed as Associate Professor (Tamil) by the first respondent without any qualification, the second respondent fabricated the experience certificate and obtained employment and therefore, the petitioner sought for action as against the second respondent.



W.P.No.17438 of 2022

WEB COPY

4. A perusal of the counter filed by the third respondent reveals that one P.Madhu lodged a complaint against the then Vice Chancellor Dr.M.Thangaraj, alleging that during his tenure 8 Professors, 10 Readers and 26 Lecturers were appointed. The said complaint was enquired into by the Vigilance Commission. During enquiry, it is found that for the post of Reader in the Tamil Department, the applicant should possess good academic record with a Doctorate Degree or equivalent with five years experience excluding the period spent for obtaining the research degree. A detailed enquiry was conducted with regard to the experience certificate produced by the second respondent and its genuineness has been conducted and was submitted a report. The report reveals that the certificate produced by the second respondent is genuine. The syndicate of the Periyar University, on 26.03.2012, accepted the experience certificate produced by the second respondent.

5. At the outset, the third and fourth respondents had enquired into the allegations and found that the certificate produced by the second respondent is genuine and a factual report was sent to the



W.P.No.17438 of 2022

WEB COPY

Government. The first respondent also produced the order thereby dropping any other action as against the second respondent on receipt of the inspection report of the third and fourth respondents herein by a communication dated 25.07.2013 in G.O.(3D) No.13. The said order, insofar as the second respondent is concerned, reads as follows :

“38.In respect of the appointment of Dr.Periyasamy, as a Reader in the Department of Tamil, the enquiry revealed that Dr.T.Periyasamy was appointed as a Reader in the Department of Tamil on 23.11.2004, when Dr.Balakrishnan was the Vice Chancellor of the University. Later, he was elevated to the rank of Associate Professor in the year 2007 and continues to hold the post. Copy of the Minutes of the 44th Meeting of the Syndicate, held on 21.11.2004, which resolved appointment of Dr.T.Periyasamy and others is on record (Doc.No.92).

39.It is revealed that the requisite qualification for appointment as a Reader in the University is that the applicant should possess good academic record with a doctorate degree or equivalent and 5 years of experience of teaching, excluding the period spent for obtaining the research degree.

40.Dr.T.Periyasamy, at the time of submission of



W.P.No.17438 of 2022

application, during the year 2004, for the post of Reader in the Department of Tamil, in the Periyar University, was in possession of a doctorate degree and 5 years of experience, as follows.

(i) as a Lecturer in the Department Tamil in Hindusthan College of Arts and Science, Coimbatore from 03.07.1999 to 17.06.2000.

(ii) as a Lecturer in the Department Tamil in Gobi Arts and Science College, Gobichettipalayam from 19.06.2000 to 22.12.2004.

Perusal of his doctorate degree revealed that he was awarded Doctor of Philosophy by the Bharathiar University, on 13.03.2000. However, he completed the course for Ph.D on 30 June 1999.

41.The experience certificates furnished by Dr.T.Periyasamy was verified with the said two institutions. Both the institutions confirmed the genuineness of the experience certificates in writing (Doc.No.93 & 94) and corroborated by their oral evidence (W-68 and 78)

42.In the meantime, following a dispute, that arose with regard to the experience of Dr.T.Periyasamy,



W.P.No.17438 of 2022

the Vice Chancellor, Periyar University, Salem wrote to the Bharathiyar University, Coimbatore, to verify the genuineness of the qualification and service of Dr.T.Periayasamy. Based on this, Bharathiar University appointed Dr.R.Palanivel (W-79), Professor & Head, Department of English and Foreign Language to verify the genuineness of these certificates Dr.R.Palanivel had verified and sent his report to the VC, Periyar University, on 10.01.2012 (Doc.No.95). Perusal of the report revealed that the service certificates furnished by Dr.T.Periayasamy were genuine. Upon this, the Syndicate of the Periyar University, in their 75th meeting held on 26.03.2012 resolved that the experience certificates of all Dr.T.Periayasamy were genuine. The Syndicate also resolved to verify the certificates of all other employees of the University. The resolution is on record (Doc.96)

43.Under such circumstances, the allegation that Dr.T.Periayasamy got his appointment, as a Reader in Tamil in Periyar University, by producing fake experience certificates is not established.”

6. In view of the above, the representation submitted by the petitioner that too after a period of several years from date of appointment



W.P.No.17438 of 2022

WEB COPY

of the second respondent, cannot be considered. Thus, the writ petition is devoid of merits and is liable to be dismissed.

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

05.04.2024

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
Lpp

To

1.The Registrar,
Periyar University,
Periyar Palkalai Nagar,
Salem-636 011

2.The Director of Vigilance and Anti Corruption,
Chennai-600 032.

3.The Commissioner of Police,
Salem-636 001.



WEB COPY



W.P.No.17438 of 2022

G.K.ILANTHIRAIYAN, J.

Lpp

W.P.No.17438 of 2022

05.04.2024