



W.P.No.21663 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21663 of 2024

Dr. K.Selvarajan

... Petitioner

Vs

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

2. The Registrar,
Bharathiar University,
Coimbatore.

3. Bishop Thorp College,
Rep. by its Chairman,
Dharapuram, Tiruippur District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner for extension/re-employment of service till the end of academic year 2024-2025 i.e., 30.04.2025 as he is attaining superannuation on 31.07.2024.



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For Petitioner : Mr. R.Ramachandran

For Respondents : Mr. R.Neethiperumal,
Government Advocate (for R1 & R2)

Mrs. Mary Sowmi Revi
for M/s. Issaac Chambers (for R3)

ORDER

With consent of both sides, this Writ Petition has been taken up for disposal at the admission stage itself.

2. This Writ Petition is filed to direct the respondents to consider the representation submitted by the petitioner, seeking re-employment in service until the end of the academic year 2024-2025.

3. The petitioner was initially appointed as a Lecturer in the Department of Computer Science in the third respondent/College on 29.10.1987. Thereafter, the petitioner was promoted to the post of Professor and attained the age of superannuation on 31.03.1997. While so, the petitioner submitted the said representation seeking re-employment of his



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service till the end of the academic year. Since he attained the age of superannuation mid-academic year, to extend the petitioner's service till the completion of the academic year, he must fulfill other conditions stipulated in G.O. (Ms) No. 188, Higher Education Department dated 23.09.2022. Moreover, even before his attainment of the age of superannuation, the third respondent must be satisfied with the petitioner's performance and send a proposal to the authorities concerned seeking permission to extend the petitioner's service.

4. Admittedly, no proposal was sent by the third respondent, indicating that they are not interested in continuing the petitioner's service till the end of the academic year, which is only in the interest of justice. Since the third respondent did not send any proposal to extend the petitioner's service till the completion of the academic year, the representation submitted by the petitioner for re-employment cannot be considered, and the Writ Petition is devoid of merits and is liable to be dismissed.



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5. In the result, this Writ Petition is dismissed. No costs.

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Index: Yes/No

Neutral Citation: Yes/No

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To

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Higher Education Department,
Fort St. George, Chennai – 600 009.
2. The Registrar,
Bharathiar University,
Coimbatore.
3. The Chairman,
Bishop Thorp College,
Dharapuram, Tiruippur District.



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G.K.ILANTHIRAIYAN, J.

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