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W.P.No.1480 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

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

W.P.No.1480 of 2024

Dr.E.Latha Mercy

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Petitioner

Vs

1. Government of Tamil Nadu,
Principal Secretary,
Department of Higher Education,
Fort.St.George,
Chennai – 600 009.

2. The Commissioner,
Directorate of Technical Education,
Chennai – 600 025.

3. The Secretary,
AICTE,
New Delhi.

....

Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 31.08.2023.

For Petitioner : M/s.R.Angalaparameswari

For R1 & R2 : Mr.K.H.Ravikumar
Government Advocate



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ORDER

This Writ Petition has been filed for a direction directing the respondents to consider the representation of the petitioner dated 31.08.2023 seeking promotion to the post of Principal.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the 1st and 2nd respondents.

3. The petitioner is a Professor of Electrical and Electronics Engineering, Government College of Technology, Coimbatore. The petitioner has been working under Directorate of Technical Education from the year 1988. Though she had qualification, she was promoted to the post of Professor only on 13.03.2023. As per the amendment to the Special Rules for the Tamil Nadu Educational Service in the Higher Education Department by G.O.Ms.No.77, Higher Education (B1), dated 20.04.2017, the minimum of 10 years experience in teaching / research / industry out of which at least 3 years shall be at the level of Professor for the promotion to the post of Principal. The Amendment is as follows :-



Amendments

“In the said Special Rules

(1) In the Annexure, in the Table, for the entries in Columns (4) and (5) against the post “Principals Engineering Colleges” in column (3) category “I” and class “V” in columns (2) and (1) respectively, the following entries shall respectively be substituted, namely :-

**Promotion and Direct Recruitment*

1. B.E/B.Tech and M.E/M.Tech in relevant branch with First class or equivalent either in B.E/B.Tech or M.E/M.Tech and Ph.D or equivalent, in appropriate discipline.

2. Post Ph.D publications and guiding Ph.D students is highly desirable and minimum of ten years experience in teaching / research / industry out of which at least 3 years shall be at the level of Professor.

Or

Minimum of thirteen years of experience in teaching and / or research and/ or industry

3. In case of research experience good academic record and books / research paper publications / intellectual property rights / patents record shall be required as deemed fit it by the expert members of the Selection Committee. If the experience in industry is considered, the same shall be at managerial level



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equivalent to Professor level with active participation record in devising / designing developing, planning, executing, analyzing, quality control innovating training, technical books / research paper publications / intellectual property rights / patents etc as deemed fit by the expert members of the Selection Committee.

4. Flair for Management and Leadership is essential

5. In case of Architecture, Professional Practice of ten years as certified by the Council of Architecture shall also be considered valid.”

4. Admittedly, the petitioner was promoted to the post of Professor only on 13.03.2023 by G.O.Ms.No.70, dated 13.03.2023. Therefore, the representation submitted by the petitioner seeking promotion to the post of Principal cannot be considered, without completing three years of her service as Professor. Thus, the writ petition is devoid of merits and it is liable to be dismissed.

5. Accordingly, this Writ petition stands dismissed. No costs.

24.01.2024

Internet : Yes
Index : Yes/No
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To
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