



W.P.No.33745 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

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Syed Rahamathullah

.. Petitioner

Vs

1.The Vice Chancellor,  
University of Madras,  
Chennai-5.

2.The Principal Secretary to Government,  
Department of Higher Education,  
Government of Tamil Nadu,  
Secretariat, Fort St. George,  
Chennai-9.

3.The Secretary,  
University Grants Commission,  
Bahadur Shah Zafar Marg,  
New Delhi-110 002.

4.The Registrar,  
University of Madras,  
Chennai-5.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to constitute a Scrutinizing Committee forthwith as resolved in the syndicate committee meeting held on 19.2.2018 and to enquire into the irregularities and violations of UGR Regulations, 2010 committed in the appointment of professors as sought vide representation dated 13.6.2018.

|                     |                                                                       |
|---------------------|-----------------------------------------------------------------------|
| For the Petitioner  | : Ms.M.Nuzhathkhanam<br>for Mr.Mohamed Rafi                           |
| For the Respondents | : Mr.D.Ravichandran<br>Spl. Government Pleader<br>for respondent No.2 |
|                     | : Mrs.V.Sudha<br>Standing Counsel<br>for respondent No.3              |
|                     | : Mr.A.S.Vijayaragavan<br>for respondent No.4                         |

ORDER  
(Order of the Court was made  
by the Hon'ble Acting Chief Justice)

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing the first respondent to constitute a



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Scrutinizing Committee as resolved in the Syndicate Committee meeting held on 19.2.2018 and to enquire into the irregularities and violations of the UGC Regulations, 2010 committed in the appointment of Professors by considering the representation of the petitioner dated 13.6.2018.

2. The case of the petitioner is that in violation of the UGC Regulations, appointment of Professors was made. In the Syndicate Committee meeting held on 19.2.2018, a resolution has been passed authorizing the first respondent to constitute a Committee to scrutinize the irregularities in various appointments made in the recent past and report to the Syndicate. However, the issue was put on the back burner. Hence, on 13.6.2018, the petitioner has made a representation to the first respondent to constitute a Scrutinizing Committee to enquire the irregularities. As the said representation did not evoke any response, the petitioner has filed the present writ petition.

3. The Registrar of University of Madras has filed a counter-



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affidavit. In paragraphs 8 and 9 of the counter-affidavit, it has been stated that there is no complaint received by the University that there were irregularities in the direct recruitment of Professors as alleged by the petitioner. It is further stated that the process of selection and appointment to 22 posts of Professors was over and no complaint in this regard was received by the University from any of the unselected candidates.

4. The third respondent has filed the counter-affidavit, *inter alia*, stating that the Regulations have been made by the third respondent and suitable amendments are being made from time to time after detailed deliberations. The Regulations are mandatory in nature and cannot be overlooked at any stage and all the Universities/Institutions/Colleges have been advised to strictly comply with the same.

5. Admittedly, the representation of the petitioner has not been considered till date. As the representation of the petitioner is pending consideration before the first respondent, it would be



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appropriate to direct the first respondent to consider the representation of the petitioner and pass orders within a stipulated time.

6. At this juncture, learned counsel appearing for the fourth respondent submitted that since the post of Vice Chancellor is vacant, six months' time may be granted to consider and pass orders on the representation of the petitioner.

7. Considering the overall conspectus of the matter, without expressing any opinion on the merits of the matter, we direct the first respondent to conduct an enquiry on the basis of the representation of the petitioner dated 13.6.2018. If, upon enquiry, any violation is found in the appointment of Professors, as alleged in the writ petition, necessary action be initiated by the concerned authority in accordance with law. The entire exercise shall be completed within a period of six months from the date of receipt of a copy of this order.



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8. With the above observation and direction, the writ petition stands disposed of. There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B, J.)  
06.08.2024

Index : Yes/No  
NC : Yes/No  
bbr

To:

- 1.The Vice Chancellor,  
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