



WP(MD). No.14389 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 02/07/2024

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The Hon`ble Ms.Justice R.N.MANJULA

**WP(MD). No.14389 of 2024 and
WMP(MD) Nos.12620 and 12621 of 2024**

Kavitha

... Petitioner

Vs

1. The Principal Secretary to Government,
Higher Education, Government of Tamil Nadu,
Secretariat,
Chennai..

2. The Directorate of College Education,
Evk Sampath Maaligai,
Tvkk Complex,
Nungampaakam,
Chennai..

3. The Chairman,
Teachers Recruitment Board,
4th Floor,
Evk Sampath Maaligai,
Tvkk Complex,
Nungampaakam,
Chennai..

... Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus



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calling for the records pertaining to the impugned Government Order issued by the 1st respondent in G.O.Ms.No. 247 Higher Education (F-II department) dated 08.11.2022 and G.O.Ms.No. 248 Higher Education (F-II Department) dated 08.11.2022 and quash the same as illegal and Consequently directing the respondent to regularise the petitioner as Assistant Professor in Government Arts and Science Colleges as per G.O.M.S.No. 56 Higher Education (F-II Department) dated 20.03.2020.

For Petitioner : Mr.C.Jeganathan,
For Respondent : Mr.M.Siddharthan
Special Government Pleader

ORDER

The petitioner has filed this writ petition challenging the order of the 1st respondent dated 08.11.2022 and consequently to direct the respondent to regularise the petitioner as Assistant Professor in Government Arts and Science Colleges as per G.O.M.S.No. 56 Higher Education (F-II Department) dated 20.03.2020.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.



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3. By consent of both sides, this writ petition itself is taken up for final disposal.

4. The petitioner, who is having M.Sc. M.Phil., is working as a Guest Lecturer in the Government College, Paramakudi from the year 2012. While so, Government issued G.O.Ms.No.56 dated 21.03.2020 for regularising the Guest Lecturers, who are working in the Government Colleges. Based on the said order, the petitioner was called for certificate verification. However, the Government subsequently issued G.O.Ms.Nos.247 and 248 dated 08.11.2022 thereby called for written competitive examinations for filling up the vacant posts of Assistant Professors in the Government Colleges. Therefore, challenging the same, the petitioner is before this Court.

5. The issue raised in this writ petition is no longer *res integra* in view of the judgment rendered by this Court in WP(MD) No.1971/2023 dated 02.04.2024 and WP(MD) No.6426/2024 dated 10.04.2024. In the order dated 10.04.2024, a reference has been made to the earlier order in WP(MD) No.1971/2023.



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6. Despite the earlier order has been passed by granting the relief, the petitioner has filed this writ petition stating that if the petitioner do not challenge the Government orders individually by filing a writ petition, the relief cannot be granted to him.

7. It is made clear that the order has been passed in respect of 1146 Assistant Professor posts/lecturers and not against any single Assistant Professor post/individual. If the petitioner is one among 1146 persons, in the event of complying the earlier orders of this Court, all those persons, who are in the list of 1146 persons, would get the same benefit. It is stated that the petitioner is one among them. Therefore, the petitioner is also entitled to the same relief.

8. Since the position of validity in respect of G.O.Ms.No.248 dated 08.11.2022 has been settled and the said Government order is quashed, the directions given in the above writ petitions, is applicable to the case of the petitioner as well.



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9. In the light of the above, this writ petition is also disposed by holding that the petitioner is also entitled to the benefit of the earlier order in WP(MD) No.1971/2023, if she also finds herself in the list of 1146 posts. No costs. Consequently connected Miscellaneous Petitions are closed.

02.07.2024

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TO

1. The Principal Secretary to Government,
Higher Education, Government of Tamil Nadu,
Secretariat,
Chennai..

2. The Directorate of College Education,
Evk Sampath Maaligai,
Tvk Complex,
Nungampaakam,
Chennai..



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R.N.MANJULA,J

RR

**ORDER
IN
WP(MD) No.14389 of 2024**

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In view of the above, the writ petition is allowed and the impugned orders in G.O.Ms.Nos.247 Higher Education (F-II department) dated 08.11.2022 and G.O.Ms.No. 248 Higher Education (F-II Department) dated 08.11.2022 are set aside and the respondents are directed to continue the selection process to fill up 1146 posts of Assistant Professors in accordance with G.O.Ms.No.56 dated 21.03.2020 within a period of twelve weeks from the date of receipt of a copy of this order. No costs.