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W.P.(MD) No.22324 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.22324 of 2016

Dr.M.Kodeeswara Ramanathan

... Petitioner

-VS-

1.The Registrar
Anna University
Sardar Patel Road
Chennai-600 025

2.The Registrar
Bharathidasan University
Palkalaiperur
Tiruchirappalli-620 024

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to the respondents to promote the petitioner then and there to the respective promotional post as Senior Lecturer / Assistant Professor / Associate Professor with pay revision then and there considering petitioner's seniority on par with other teaching staff of same cadre depending on the respective promotional post with retrospective effect.



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For Petitioner : Mr.F.Deepak

For Respondents : Mr.E.V.N.Siva
Standing Counsel for R1
Mr.V.R.Shanmuganathan
Standing Counsel for R2

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to promote the petitioner to the respective promotional post as Senior Lecturer / Assistant Professor / Associate Professor with pay revision on par with other teaching staff of same cadre.

2. The petitioner claims that he was re-designated as Lecturer / Assistant Professor with effect from 02.05.1994. However, according to him, despite the re-designation, he has not been granted promotion to the post of Senior Lecturer / Assistant Professor / Associate Professor by the first respondent – University.

3. Counter affidavits have been filed by the respective respondent – Universities.



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4. As seen from the counter affidavits of the respective respondents, it is clear that even though on 28.10.2011, the petitioner was employed with the first respondent – University, a letter dated 28.10.2011 was issued by the second respondent – University, under which the second respondent – University seems to have accepted that the previous designation of the petitioner in the second respondent – University as Scientific Officer has been changed as Lecturer / Assistant Professor with effect from 02.05.1994.

5. Admittedly, when the petitioner was employed only with the first respondent – University on 28.10.2011, any re-designation ought to have been done only by the first respondent – University. But, whereas, for the reasons best known, the second respondent – University seems to have given a letter, dated 28.10.2011, accepting the re-designation of the petitioner as Lecturer / Assistant Professor with effect from 02.05.1994. The first respondent – University has also stated in their counter affidavit filed before this Court that the petitioner is not qualified to be appointed as Lecturer / Assistant Professor, as he has secured only second class in B.E., and M.Tech.



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6. For the foregoing reasons, this Court is of the considered view that there is no statutory right vested with the petitioner for seeking the relief, which is sought for in this writ petition. In view of the same, there is no merit in this writ petition.

7. Accordingly, this writ petition is dismissed. No costs.

19.09.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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ABDUL QUDDHOSE, J.

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