



W.P.No.19803 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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CORAM:

THE HONOURABLE **MR.JUSTICE RMT.TEEKAA RAMAN**

W.P.No.19803 of 2011

Judgment reserved on 06.03.2025	Judgment pronounced on 25.04.2025
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Dr.G.Sivaprasad

...Petitioner

.....Vs.....

1.The Registrar,
Anna University, Chennai - 600 025.

2. The Registrar,
Anna University of Technology,
Chennai - 600 113.

3. The Secretary,
Higher Education,
Secretariat, Fort St.George,
Chennai - 600 009.

4. The Secretary,
University Grants Commission,
Bahadur Shah Zafar Mag,
New Delhi - 110 002.

.....Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Certiorarified Mandamus, calling for the



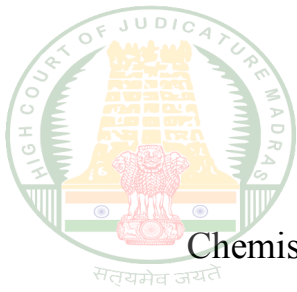
W.P.No.19803 of 2011

entire records pertaining to the impugned selection pursuant to Adyt.No.001/PR15/2009, dated 12.02.2009 which came to the knowledge of the petitioner by letter dated 18.07.2011 of the Public Information Officer, Anna University, Chennai - 600 025 on the file of the first respondent and quash the same as illegal and unconstitutional and consequently direct the first respondent to appoint the petitioner candidate as Assistant Professor (redesignated Lecturer) in Chemistry at University Department of Anna University, Chennai, with all consequential benefits.

For Petitioner : Mr.K.Vasuvenkat
For R1&R2 : Mr.V.Govardhanan
For M/s.Row & Reddy
For R3 : Mr.C.Jayaprakash,
Government Advocate
For R4 : Mr.P.R.Gopinathan

ORDER

This writ petition has been filed to call for the entire records pertaining to the impugned selection made pursuant to Advertisement No. 001/PR15/2009, dated 12.02.2009, which came to the knowledge of the petitioner through a letter dated 18.07.2011 from the Public Information Officer, Anna University, Chennai – 600 025, on the file of the first respondent, and to quash the same as illegal and unconstitutional. The petitioner further seeks a consequential direction to the first respondent to appoint the petitioner as Assistant Professor (redesignated as Lecturer) in



W.P.No.19803 of 2011

Chemistry in the University Department of Anna University, Chennai, with all consequential benefits .

2. The brief facts leading to the filing of the above Writ Petition are as follows:

(i) It appears that, pursuant to Advertisement No. 001/PR15/2009 dated 12.02.2009, issued by the University inviting applications for various teaching posts, two posts of Lecturers in Chemistry were advertised—one to be filled under the General Turn (GT) category and the other under the Scheduled Caste (SC) category, as per roster points 1 and 2. The petitioner, who belongs to the Backward Class (BC) community, applied for the post of Lecturer in Chemistry under the General Turn category.

(ii) As per the recruitment rules, candidates were required to appear for a written test, followed by an interview conducted by a Committee comprising several members and chaired by the Vice-Chancellor. The petitioner appeared for the written test along with ten other candidates who had been shortlisted following the verification of their applications and credentials.

(iii) The written test for shortlisting was conducted on 17.09.2009, in which all 11 candidates participated. Based on the marks obtained, a list of shortlisted candidates was prepared. The top six candidates were to be considered for the General Turn (GT) vacancy, and the remaining five candidates for the Scheduled Caste (SC) vacancy. As per the said rank list, the



W.P.No.19803 of 2011

petitioner was placed at Sl. No. 2 for the GT vacancy, having secured 36 marks. One Mr. P. Elumalai, who was ultimately selected, was ranked at Sl. No. 6 in the same list for the GT vacancy, having secured only 28 marks in the written test.

(iv) All 11 candidates were interviewed on 18.09.2009 by a Selection Committee comprising seven members, constituted to interview and select candidates based on merit and communal rotation for the two posts of Lecturers (i.e., one under the General Turn category and one under the Scheduled Caste category) in the Department of Chemistry, University of Madras, Chennai – 25 (CEG Campus, Guindy).

(v) The said Committee was headed by the Vice-Chancellor as Chairman and comprised two Expert Members, three other Members, and one Co-opted Member. The Selection Committee convened on 18.09.2009, during which each member awarded individual marks to the candidates based on the interview. The final ranking of the candidates was then determined based on the aggregate marks awarded by all members.

(vi) It is seen from the marks awarded by the Selection Committee that Dr. P. Elumalai secured a total of 48 marks and was ranked first, whereas the petitioner secured only 35 marks and was placed at rank 5. Consequently, Dr. P. Elumalai was appointed to the General Turn (GT) vacancy at CEG, Guindy.



W.P.No.19803 of 2011

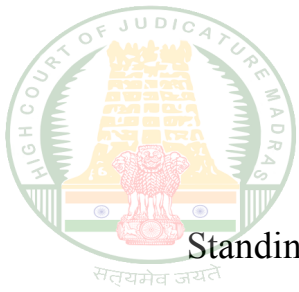
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(vii) The petitioner, being a Backward Class (BC) candidate, had grievance regarding his non-selection under the GT category. Hence, the Writ Petition.

3. The selected candidate, Dr. P. Elumalai, was not made a party to the proceedings.

4. The learned counsel appearing for the petitioner contended that the selected candidate for the University Department of Anna University, Chennai, under the General Turn (GT) category, ranked 6th. He scored 28 marks out of 60 (46.66%) in the written test. However, the marks awarded to him in the interview were 48 out of 60 (i.e., 80%), which represents a 171.43% increase compared to his written test marks. The candidate, who scored only 46.66% in the written test, was consequently awarded an exorbitant 80% in the interview.

5. After hearing the learned counsel for the petitioner and the learned



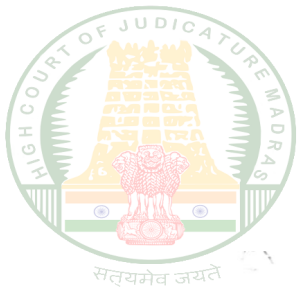
W.P.No.19803 of 2011

Standing Counsel for the University, this Court, by an order dated

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06.02.2005, directed the first respondent University to submit the details of the selection process along with the necessary documents. In compliance with this order, the first respondent filed a memorandum along with a complete xerox set, which included the notification, the list of candidates who applied for the post of Lecturer, the attendance sheet for the candidates who participated in the written examination, the marks obtained by the respective candidates in the written examination, the list of shortlisted candidates for the interview, the marks obtained by the candidates in the interview, the minutes of the Selection Committee, and the instructions from the first respondent University.

6. On perusal of the records produced by the University, I find that the meeting of the Selection Committee for the post of Lecturer in the University Department of Chemistry, along with the marks awarded, is as follows:



W.P.No.19803 of 2011

WEB COPY

S. No.	Name of the Candidate	Qualification	Teaching Experience			Community	Marks Secured		Total Marks
			Y	M	D		Written Exam	Viva voce	
1.	T.Venugopal	Ph.D.	12	11	19	BC	47	30	77
3.	V.Sangu	M.Phil.	04	09	16	OC	30	36	66
4.	L.Giridharan	Ph.D.	13	05	05	MBC	29	27	56
5.	K.Ganesan	Ph.D.	01	09	00	SC	28	35	63
7.	M.Parameswari	Ph.D.	02	09	00	SC	22	22	44
8.	K.Dinakaran	Ph.D.	05	04	13	SC	19	42	61
9.	P.Sangeetha	Ph.D.	00	00	00	SC	18	39	57
10.	R.Rangasamy	Ph.D.	00	00	00	SC	18	36	54
11.	S.Sreedharan	Ph.D.	01	04	08	SC	17	18	25

MEETING OF THE SELECTION COMMITTEE FOR THE POST OF LECTURER IN THE UNIVERSITY DEPARTMENT OF CHEMISTRY

DATE: 18.09.2009

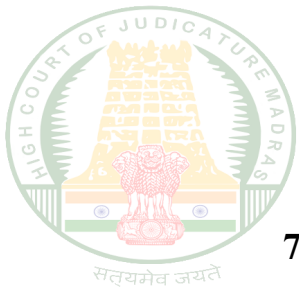
TIME: 02.00 P.M.

VENUE: SYNDICATE HALL

MARKS AWARDED BY THE COMMITTEE

Sl. No.	Name of the candidate	Com.	Marks awarded by the member (out of 10)						Total	Rank
			Vice-chancellor	Govt. Nominee	Expert Member-I	Expert Member-II	Member-I	Member-II		
1.	T.Venugopal	BC	5	5	5	5	5	5	20	6
2.	Shivprasad.G	BC	5	4	7	7	7	5	35	5
3.	Sangu.V	OC	5	5	7	7	7	5	36	4
4.	L.Giridharan	MBC	5	5	4	4	4	5	27	7
5.	K.Ganesan	SC	5	5	7	7	7	4	25	5
6.	P.Elumalai	SC	8	8	8	8	8	8	48	1
7.	M.Parameswari	SC	4	4	3	3	4	4	22	8
8.	K.Dinakaran	SC	7	7	7	7	7	7	42	2
9.	P.Sangeetha	SC	6	6	7	7	7	6	39	3
10.	R.Rangasamy	SC	5	5	7	7	7	5	36	4
11.	S.Sreedharan	SC	3	3	3	3	3	3	18	9

18/9/09 Vice-chancellor (Chairman)
 18/9/09 Govt. Nominee
 18/9/09 Expert Member-I
 18/9/09 Expert Member-II
 18/9/09 Member-I
 18/9/09 Member-II



W.P.No.19803 of 2011

7. After reviewing the memo and the documents referred to above, I find that Dr. Elumalai scored 28 marks in the written examination and 48 marks in the viva voce, totaling 76 marks. In comparison, the petitioner scored only 71 marks. The Selection Panel consisted of the Vice-Chancellor, the Government Nominee, Expert Member I, Expert Member II, and Members I and II. Each member awarded marks out of 10, and after reviewing the same, I find that the procedure was followed in accordance with the law.

8. The Hon'ble Supreme Court in *G.N. Nayak vs. Goa University and Others* (2002) Supreme Court Cases (L&S) 350 held that a selection process, which is rational and unaccompanied by considerations of personal interest, pecuniary or otherwise, cannot be vitiated by any action. In the instant case, the petitioner raises the point that the selected candidate scored fewer marks than him in the Post Graduation and that extra marks were awarded during the interview. Apart from the allegation that extra marks were given in the interview, no other specific instances have been identified by the petitioner. The Selection Committee, which was headed by the Vice-Chancellor and included other expert members, as outlined above, is to award out of



W.P.No.19803 of 2011

10 marks each to the candidates.

WEB COPY 9. After reviewing the entire set of documents filed by the University, this Court is of the considered view that the selection process was fair and transparent. Accordingly, I find that the Writ Petition itself is misconceived.

10. After the conclusion of the arguments, the learned Standing Counsel for the University submitted that the candidates selected under the General Turn and the Scheduled Caste categories had both resigned, and subsequent notifications had also been issued.

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

25.04.2025

nvi

Index : Yes / No

Neutral Citation : Yes/No

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Secretariat, Fort St. George,
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4. The Secretary,
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9/10



WEB COPY



W.P.No.19803 of 2011

RMT.TEEKAA RAMAN, J.

nvi

order in
W.P.No.19803 of 2011

25.04.2025