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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.15411 of 2023

and

W.M.P.Nos.14953,14954 and 14955 of 2023

N. Godhantaraman

.. Petitioner

Versus

1. The University of Madras,
Represented by its Registrar,
Chepauk, Chennai 600 005.

2.The Vice – Chancellor,
University of Madras,
Chepauk, Chennai 600 005.

3. The Chairman,
Academic Advisory Committee,
University Grants Commission-
Human Resources Development Centre,
University of Madras,
Chepauk, Chennai 600 005.

4. The Director,
University Grants Commission,
Human Resources Development Centre,
University of Madras, Chepauk,
Chennai 600 005.



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5. The University Grants Commission,
represented by its Secretary,
Bahadur Shah Zafar Marg,
New Delhi 110002
6. Prof. Dr.S.Gowri,
Vice-Chancellor
University of Madras,
Chepauk, Chennai 600 005.

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records in pursuant to the impugned communication No.D.1(B)/TE/2022/001 dated 02.01.2023 and to quash the same and consequently direct the respondents 1 to 5 to renew the services of the petitioner as Associate Professor in the University Grants Commission – Human Resource Development Centre of the University of Madras up to 31st of March 2025 and to pass orders.

For Petitioner : Mr.R. Prem Narayanan

For Respondent-1 : Mr.V.Sudha

For Respondents 2 to 4 : Mr.A.S.Vijaya Ragavan

For Respondent – 5 : Mr.B. Babu Manohar

For Respondent – 6 : No Appearance



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ORDER

This Writ petition is filed to issue a writ of Certiorarified Mandamus calling for the records in pursuant to the impugned communication No.D.1(B)/TE/2022/001 dated 02.01.2023 and to quash the same and consequently direct the respondents 1 to 5 to renew the services of the petitioner as Associate Professor in the University Grants Commission – Human Resource Development Centre of the University of Madras up to 31st of March 2025 and to pass orders.

2. The facts of the case is that the petitioner was appointed as a Reader, Which is now re-designated as Associate, in the third respondent/College/UGS- Human Resource Development Centre, on 26.11.2008. It is a tenure appointment, which ended on 31.03.2012.. Subsequently, his tenure was extended twice i) i.e., from 01.04.2012 to 31.03.2017 and ii) from 01.04.2017 to 31.03.2022. The petitioner's tenure as Associate professor of the said College came to end on 31.03.2022. Hence, he made a representation dated 20.01.2022 to the



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second respondent to extend his service as Associate Professor for another period of three years. Subsequently, on 12.04.2022 and 05.05.2022 also, the petitioner made representations, but the same have not been considered. Though relieving order has not been issued, he was orally informed not to attend the office from 03.04.2022. Hence he has given a representation to the first respondent on 20.01.2022, 12.04.2022 & 05.05.2022 for extension of service as Associate Professor in the UGC-Human Resource Development Centre of the University till 31st March 2025. However, the same was not considered, due to which the petitioner filed W.P.No.15751 of 2022 and the same was disposed with a direction to the respondent to consider the representation of the petitioner and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of that order. Pursuant to which the impugned order came to be passed on 02.01.2023 by the first respondent stating the extension of his tenure as Associate professor and Deputy Director, UGC-HRDC is not feasible of Compliance. Aggrieved over the same the petitioner has come up with this petition.



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3. The learned counsel for the petitioner submitted that as per the University Grants Commission guidelines 2019 under the structure of Human Resources Development Centre (staffing position), stated that existing HRDCs shall converse its structure for which the academic and non-academic staff engaged prior to the implementation of these guidelines will continue to be governed by the UGC guidelines which prevailed at the time of their appointment. All the staff and faculty recruited prior to 2015 will continue with the same terms and conditions prevailed at the time of their appointment. If Associate professor is already appointed in any HRDC, the post shall continue to be co-terminus with the superannuation of incumbent. The existing Associate professor/Assistant Professors who are fulfilling the criteria of UGC Regulations 2018 should also be extended CAS to the Level of Professors. Hence, the impugned order is illegal and prays for interference by this Court.

4.*Per Contra* the learned standing counsel has filed a counter affidavit, wherein, it has been clearly stated in the appointment order issued to the petitioner that his post is purely temporary under XI plan



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period (i.e. March 2012) as per condition under Sl.No.7 which states that Citing length of services, he shall not claim for permanent absorption in this University. An undertaking to this effect shall be furnished by him at the time of joining duty. He has accepted the condition and joined duty on 26.11.2008. The tenure has been extended under XII plan period from 01.04.2012 to 31.03.2017 and from 01.04.2017 to 31.03.2022 by the Local Program Planning and Management Committee (LPPMC). The Academic Advisory Committee of the UGC-HRDC at its meeting held on 18 March 2022 considered the extension of his tenure and resolved that “ any tenure post in that category cannot be extended in the HRDC”. Hence, the impugned order has been passed stating that the representation of the petitioner for considering the extension of his tenure as Associate Professor and Deputy Director, UGC – HRDC is not feasible of compliance.

5. Heard both sides and perused the materials available on record.



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6. On a perusal of records, it is seen that the tenure of the petitioner cannot be extended due to the fact that in the appointment order it has been clearly stated that the Academic Advisory Committee of the UGC-HRDC at its meeting held on 18 March 2022 considered the extension of his tenure and resolved that “ any tenure post in that category cannot be extended in the HRDC”. Hence, there is no infirmity in the impugned order passed by the first respondent and the same does not require interference by this Court.

7. For the foregoing reasons this Court is not inclined to accept the contentions of the petitioner as the same is devoid of merits. Hence, this petition deserves to be dismissed. Accordingly, this petition is dismissed. No order as to costs. Consequently, the connected miscellaneous petitions are closed.

21.02.2025

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
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3. The Chairman,
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V.BHAVANI SUBBAROYAN, J.

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