

W.P. No.1765 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P. No.1765 of 2018 and
W.M.P. No.2188 of 2018

Dr.S.Chenniappan
Associate Professor in Commerce (Relieved),
BISHOP HEBER College (Autonomous),
86, Chitrahara Nagar, Gandhi Nagar Post,
Tirupur- 641603

... Petitioner

Vs

- 1.The Secretary to Government
State of Tamil Nadu
Higher Education Department
Fort St. George, Chennai - 600 009
- 2.The Director of Collegiate Education
Directorate of Collegiate Education
E.V.K. Sampath Building (DPI Complex)
College Road, Nungambakkam
Chennai - 600 006
- 3.The Regional Joint Director
Trichy Region (Near EVR College)
Trichy - 620 020
- 4.The Secretary, Chairman & Bishop
College Governing Board
Bishop Heber College (Autonomous)
Trichy - 620 017

... Respondents



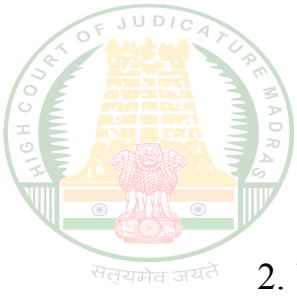
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Prayer: Writ petition filed under Article 227 of the Constitution of India for a writ of certiorarified mandamus calling for the records of the Fourth respondent being the Order dated 31.07.2017 relieving the Petitioner from the service, and quash the same as illegal and unsustainable in law in view of GO Ms. No.325, Higher Education (H1) Department dated 18.08.03 and consequently direct the 4th Respondent to reinstate the Petitioner as Associate Professor in Commerce Department, (Self Financing Section) in their college till he attains the age of 62 years.

For Petitioner : Mr.P.Premkumar (No Appearance)
For Respondent : Mr.S.Arumugam,
Government Advocate for R1 to R3
Ms.H.Mary Sowmi
for M/s.Isaac Chambers

ORDER

This writ petition has been filed for a writ of certiorarified mandamus to call for the records of the fourth respondent being the order dated 31.07.2017 relieving the petitioner from service, quash the same in view of G.O. Ms. No.325, Higher Education (H1) Department dated 18.08.2003 and consequently direct the 4th respondent to reinstate the petitioner as Associate Professor in Commerce Department (Self Financing Section) in their college till he attains the age of 62 years.



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2. When the matter was taken up for hearing, the learned counsel for the petitioner is not present. The learned counsel appearing for the fourth respondent/college submitted that the petitioner is only a contractual employee under the Self Finance Scheme. The maximum age limit for engagement of a contractual employee is prescribed as 62 years and it does not say that the petitioner's employment under the Self Finance Scheme should be continued till he completes the age of 62 years. The learned Government Advocate appearing for the respondents 1 to 3 submitted that the petitioner has crossed the age of 62 years now and the relief itself has become infructuous.

3. In view of the above stated reasons, the writ petition is dismissed as infructuous. However, there is no order as to costs. Consequently, the connected writ miscellaneous petition is closed.

26.02.2025

Index : Yes / No
Neutral Citation : Yes / No
Asr



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- To
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State of Tamil Nadu
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College Governing Board
Bishop Heber College (Autonomous)
 - 5.The Government Pleader
High Court, Madras



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R.N.MANJULA, J.

Asr

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