



WP(MD)No.10078 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.10078 of 2017 and
WMP(MD)Nos.7727 to 7729 & 10826 of 2017**

1.T.Ram Baskar

2.A.Sathiabhama

3.R.Prabhu Aravinthan

4.D.Vijaya Kumar

... Petitioners

Vs

1.The Tamil Nadu Open University,
represented by its Registrar,
Tamil Nadu Open University,
No.577, Anna Salai,
Saidapet, Chennai – 15.

2.The Deputy Director,
Students Support Service Division,
Tamil Nadu Open University,
No.577, Anna Salai,
Saidapet, Chennai – 15.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorari to call for the records pertaining to the impugned paper advertisement (GT-1) Adv.No.TNOU/R/Estt-17/ZC/MDU/1 and (GT)



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Adv.No.TNOV/R/Estt-17/AZ/TRY/1, dated 13.04.2017 on the file of the respondent No.1 and quash the same as illegal within the time frame stipulated by this Court.

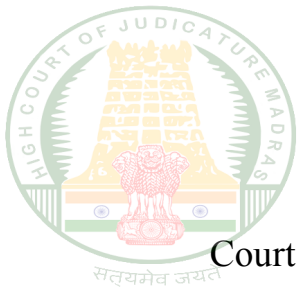
For Petitioners : Mr.Karthick
for M/s.T.Lajapathiroy Associates
For Respondents : No representation

ORDER

The notification of the Tamil Nadu Open University inviting application for the appointment to the post of Associate Professor cum Co-Ordinator dated 13.04.2017 is challenged in this writ petition.

2.This Court while entertaining this writ petition granted an order of interim stay on 26.05.2017. The respondent University has filed an application on 12.07.2017 to vacate the interim order dated 26.05.2017. The learned Counsel who has filed this vacate stay application on behalf of the University has represented before this Court that he is not appearing in this matter.

3.When this vacate stay application was taken up for hearing on 08.01.2025, there was no representation for University. Therefore, this



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Court after verifying the vakalath of Mr.Sanjay Gandhi, directed the Registry to print the name of Mr.Sanjay Gandhi in the cause list and to list the matter today. Accordingly this matter is listed today.

4.Even today there is no representation for the University.

5.This writ petition was filed in the year 2017 as against the notification inviting application for appointment of Assistant Professor cum Co-Ordinator. The case of the petitioner is that there is no such post of Assistant Professor cum Co-Ordinator. The petitioner has also relied on the Government Order in GO.Ms.No.70, Higher Education Department dated 18.05.2012 sanctioning Co-Ordinator posts in the Zonal Centres of the respondent University and claims that he is eligible to the post of Co-Ordinator.

6.The respondent University has filed a counter affidavit that the academic posts were created by the syndicate of the University by resolution dated 01.07.2016. The petitioner is not having the qualification for the said post and he is not having any locus standi to challenge the notification.



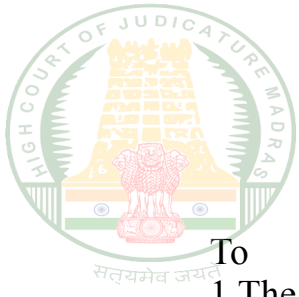
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7.This Court on 13.08.2024 directed the respondent Counsel to verify whether anything survives in this writ petition since the notification for appointment was issued in the year 2017. It was reported that in view of the interim stay granted by this Court on 21.05.2017, they have not proceeded with the notification. However, the learned Standing Counsel sought time to get instructions as to whether the respondents are still making any appointments or not, pursuant to the impugned notification.

8.This writ petition was filed in the year 2017 challenging the notification calling for application for appointment in the respondent University and it has not been proceeded further in view of the interim order granted by this court and as such there cannot be any further proceedings based on the impugned notification. Therefore, this writ petition is allowed. No costs. Consequently connected miscellaneous petitions are closed.

09.01.2025

DSK



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To

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2.The Deputy Director,
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B.PUGALENDHI.J.,

DSK

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