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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2026

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.A.NOS.160, 88 AND 163 OF 2026
AND
CMP NOS.1270, 1279, 767, 768, 1281 AND 1284 OF 2026

W.A.NO.160 OF 2026

Dr.E.Chandra
D/o. K.R.Eswaran
Professor & HoD
Department of Computer Science
Bharathiar University,
Coimbatore – 641 046. … Appellant

Vs.

1.The Registrar
Bharathiar University,
Coimbatore – 641 046.

2.Dr.P.Porkodi
Professor
Department of Computer Science
Bharathiar University,
Coimbatore – 641 046. … Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 11.11.2025 passed in W.P.No.43517 of 2025.

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For Appellant : Mrs.N.Kavitha Rameshwar

For Respondent-1 : Mr.M.Ajmal Khan
Senior Counsel
Assisted by Mr.S.Nambi Arooran
for M/s.Ajmal Associates

W.A.NO.88 OF 2026

K.Sangeetha
D/o. M.Krishnaswamy
Professor & HoD
Department of Textile & Apparel Design,
Bharathiar University,
Coimbatore – 641 046. … Appellant

Vs.

1.The Registrar
Bharathiar University,
Coimbatore – 641 046.

2.Dr.S.Grace Annapoorani
Professor
Department of Textile & Apparel Design,
Bharathiar University,
Coimbatore – 641 046. … Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 11.11.2025 passed in W.P.No.43508 of 2025.

For Appellant : Mrs.N.Kavitha Rameshwar

For Respondent-1 : Mr.M.Ajmal Khan
Senior Counsel
Assisted by Mr.S.Nambi Arooran
for M/s.Ajmal Associates

For Respondent-2 : No appearance

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W.A.NO.163 OF 2026

Dr.N.Ponpandian
S/o. P.Nagamony
Professor & HoD
Department of Nano Science and Technology,
Bharathiar University,
Coimbatore – 641 046. … Appellant

Vs.

1.The Registrar
Bharathiar University,
Coimbatore – 641 046.

2.Dr.P.T.Rajendra Kumar
Professor
Department of Nano Science and Technology,
Bharathiar University,
Coimbatore – 641 046. … Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 11.11.2025 passed in W.P.No.43513 of 2025.

For Appellant	:	Mrs.N.Kavitha Rameshwar
For Respondent-1	:	Mr.M.Ajmal Khan Senior Counsel Assisted by Mr.S.Nambi Arooran for M/s.Ajmal Associates

COMMON JUDGMENT

(Judgment of the Court was made by S.M.Subramaniam, J.)

Under assail are the writ orders dated 11.11.2025 passed in W.P.No.43517 of 2025, W.P.No.43508 of 2025 and W.P.No.43513 of

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2025 respectively. The writ petitioners are the appellants before this Court.

2.The facts in brief are that the appellant in W.A.No.160 of 2026 was initially appointed as Professor in the Department of Computer Science in Bharathiar University on 13.04.2015. Thereafter, she was appointed as Head of the Department with effect from 16.09.2015. The University appointed the second respondent - Dr.P.Porkodi as Head of the Department of Computer Science vide Proceedings dated 22.10.2025. Thus, the writ petition in W.P.No.43517 of 2025 came to be instituted.

3.Likewise, the appellant in W.A.No.88 of 2026 was initially appointed as Professor in the Department of Textiles and Apparel Design in Bharathiar University on 24.10.2014. Thereafter, she was appointed as Head of the Department with effect from 02.12.2015. The University appointed the second respondent -Dr.S.Grace Annapoorani as Head of the Department of Textiles and Apparel Design vide Proceedings dated 22.10.2025. Thus, the writ petition in W.P.No.43508 of 2025 came to be instituted.

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4.Similarly, the appellant in W.A.No.163 of 2026 was initially appointed as Reader in the Department of Nano Science and Technology in Bharathiar University on 12.01.2008. He was re-designated as Associate Professor with effect from 01.03.2011. Thereafter, he was appointed as Head of the Department with effect from 01.07.2015. The University appointed the second respondent-Dr.R.T.Rajendra Kumar, as Head of the Department of Nano Science and Technology vide Proceedings dated 22.10.2025. Thus, the writ petition in W.P.No.43513 of 2025 came to be instituted.

5.The learned counsel appearing on behalf of the appellants would mainly contend that Section 45 of the Bharathiar University Act, 1981 speaks about the Terms and Conditions of Service of Heads of Departments, which reads as under:

> ***"45.Terms and Conditions of Service of Heads of Departments:-***
>
> *(1) Each Department of the University shall have a Head who shall be a Professor or Director, and whose duties and functions and terms and conditions of appointment shall be as prescribed by the ordinances:*
>
> *Provided that if there is more than one Professor in any Department, the Head of the*

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Department shall be appointed in the manner prescribed by the ordinances:

Provided further that in a Department where there is no Professor, an Assistant Professor or a Reader may be appointed as Head of the Department in the manner prescribed by the ordinances.

(2) It shall be open to a Professor or Assistant Professor or Reader to decline the offer of appointment as Head of Department.

(3) A person appointed as Head of the Department shall hold office as such for a period of three years and shall be eligible for reappointment.

(4) A Head of the Department may resign his office at any time during his tenure of office.

(5) A Head of the Department shall perform such functions as may be prescribed by the ordinances."

6.Sub-section (1) to Section 45 stipulates that each Department of the University shall have a Head who shall be a Professor or Director. Sub-section (3) to Section 45 states that the term of office of the Head of the Department is three years. Therefore, a person appointed as Head of the Department shall hold the office for a period of three years and shall be eligible for re-appointment. Thus, the Bharathiar

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University Act, 1981 contemplates three years tenure for the post of Head of the Department and re-appointment can be made by the University.

7.The learned counsel appearing on behalf of the appellants would rely on Ordinance 2001 which speaks about the mode of appointment. It states that *"Each Department of the University shall have a Head who shall be a Professor or Director. Provided that if there is more than one Professor in any department, the seniority shall be followed in the appointment of Head of the Department by the Vice-Chancellor."*

8.A conjoint reading of Section 45(3) of the Bharathiar University Act, 1981 Act and the Ordinance 2001 would show that a Senior Professor may be appointed as a Head of the Department for a period of three years. However, such Professor can be re-appointed by the University.

9.The learned counsel appearing on behalf of the appellants relying on Ordinance 2001 would submit that the appellants are the senior-most Professors and therefore, they are entitled to continue as

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Heads of the Departments. Admittedly, they have served as Heads of the Department for about ten (10) years.

10.The learned Senior Counsel appearing on behalf of the first respondent – University would oppose by stating that Ordinance 4(IV) issued by the University Grants Commission speaks about the Head of the Department of Studies and powers and functions of the Head of the Department. Clause I (1) of the Ordinance 4(IV) issued by the University Grants Commission, reads as under:

> **"I. Appointment of the Head of the Department of Studies : (E.C. Res. No.10, Date 12.09.2006)**
>
> *1.Each department of studies shall have a Head who shall be a Professor, provided that if there is more than one Professor, the Head of the Department shall be appointed by the Vice-Chancellor by observing the principle of rotation from amongst the Professors according to seniority for a period of three years."*

In terms of the Ordinances issued by the University Grants Commission, Head of the Department shall be appointed by the Vice-Chancellor by observing the principle of rotation from amongst the Professors according to seniority for a period of three years.

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11.Therefore, the word "seniority" employed under Bharathiar University Act, 1981 as well as the word "seniority" employed in Ordinance 4(IV) issued by the University Grants Commission have to be read together. Further, the tenure of office of the Head of the Department is three years and appointment is to be made amongst the Professors based on seniority and on rotational basis. For example, a senior-most Professor will get his first opportunity to hold the post of Head of the Department and on completion of his three years of period, the next senior-most will be appointed as Head of the Department in consonance with the provisions of the Bharathiar University Act, 1981 and the Ordinance 2001 issued by the University Grants Commission.

12.In the present case, the writ Court has relied on a Division Bench judgment of this Court in the case of ***Prof.Dr.M.Srinivasan Vs. The Chancellor of Universities, Raj Bhavan – Tamil Nadu, Guindy, Chennai – 600 022 and others***, in ***W.P.No.5862 of 2024*** dated ***25.02.2025***, wherein the relevant statutory provisions applicable to the case were considered and relied upon.

13.Even in the present case, the Bharathiar University Act, 1981 stipulates that the tenure of the Head of the Department is three

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years. The Ordinance of the University Grants Commission states that appointment of Head of the Department is on rotational basis and the senior-most Professor shall be appointed as Head of the Department.

14.The objective of the scheme of “rotational basis” is to ensure equal opportunity amongst the senior Professors to hold the post of Head of the Department and to eliminate inequality among the senior Professors working in a particular department in University. Thus, the object of the provisions are laudable, as they ensure that all Senior Professors are provided an opportunity to serve as Heads of the Department, which would be of more beneficial to the students studying in Universities and they will be benefited to learn subjects in different perspectives, based on multi-dimensional views from each of the Senior Professors working in the Department.

15.University Grants Commission Act, 1956, being an Act of Parliament, would prevail over the State Acts. When the Universities are recognised by the University Grants Commission under the University Grants Commission Act and the Regulations framed thereunder, the provisions of the said Act and Regulations will prevail over the other State Acts.

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16.Sub-Section (3) to Section 45 of the Bharathiar University Act, 1981 stipulates that the term of the Head of the Department is three years. Therefore, purposive interpretation is to be adopted so as to ensure that the aim is achieved and equal opportunity to hold the post of Head of the Department is provided to all the eligible senior Professors working in the Department.

17.With the above discussions, the Writ Orders stand confirmed and the Writ Appeals are dismissed. However, there shall be no order as to costs. Consequently, connected Civil Miscellaneous Petitions are closed.

[S.M.S., J.] **[N.S., J.]**

07.07.2026

Index : Yes
Speaking Order : Yes
Neutral Citation : Yes
TK

To

The Registrar
Bharathiar University,
Coimbatore – 641 046.

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S.M.SUBRAMANIAM, J.

AND

N.SENTHILKUMAR, J.

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WA NOS.160, 88 AND 163 OF 2026

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