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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1332 of 2026

Asst. Prof X Inba Sekaran,
S/o. Xavier,
Door No.2/84, 2nd Ward,
St.Antonyar Street, N.Panjampatty,
Authoor Taluk,
Dindigul District- 624 303.

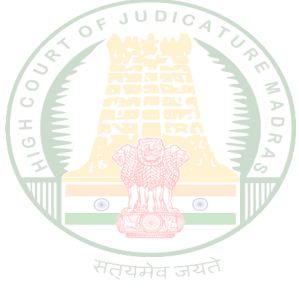
..Appellant(s)

Vs

1. The Government of Tamil Nadu
Represented by its Secretary,
Department of Law,
Secretariat, St. George Fort,
Chennai-600 009.
2. The Director,
Directorate of Legal Studies,
Purusawakkam, Kilpauk,
Chennai- 600 010.
3. The Chairman,
University Grants Commission (UGC),
Bahadur Shah Zafar Marg,
New Delhi-110 002.

..Respondent(s)

Writ Appeal filed under Clause 15 of the Letters Patent issuing writ of certiorari mandamus to set aside the order dated 17.11.2025 in the W.P.No.32549 of 2024 by allowing this Writ Appeal.



For Appellant(s): Mr.I.Arokia Selvaraj

For Respondent(s): Mr.R.Sankar, Government Counsel for R1

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JUDGMENT

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

The writ on hand has been instituted challenging the writ order dated 17.11.2025 in W.P.No.32549 of 2024.

2. Writ petitioner is the appellant before this Court. Appellant is now holding the post of Assistant Professor in Government law College, Madurai. He made an application seeking promotion to the post of Associate Professor. The claim for promotion was declined on the ground that he does not possess the requisite qualification of Ph.D. Thus, a writ petition came to be instituted.

3. Writ Court held that Ph.D degree is mandatory qualification for holding the post of Associate Professor. Therefore, appellant is not entitled for relief.

4. Learned counsel for the appellant would submit that some other persons have been granted promotion to the post of Associate Professor.

5. Learned Government Counsel would oppose by stating that those Associate Professors were promoted prior to the UGC regulation of year 2018,



which was adopted by the Government. Thus, the said case would have no application to the fact of the present case.

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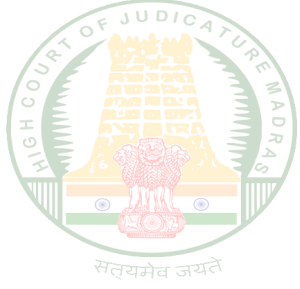
6. Further learned counsel for the petitioner would rely on clause 6.3 of UGC regulation on minimum qualification for appointment of teachers and other academic staff in University. Clause 6.3 is the general guideline issued and the mandatory qualification of Ph.D has not been dispensed with. Therefore, the said clause is of no avail to the appellant to secure the relief of promotion to the post of Associate Professor.

7. Pertinently, Government issued G.O.(Ms).No.5, Higher Education (H1) Department, dated 11.01.2021 adopting the UGC regulation on minimum qualification for appointment of teachers and other academic staff in Universities and Colleges, and Measures for the maintenance of standards in Higher Education, 2018. In respect of the post of Associate Professor, the eligibility criteria has been fixed as follows,

III. Assistant Professor (Selection Grade/Academic Level 12) to Associate Professor (Academic Level 13A)

Eligibility:

1) Assistant Professor who has completed three years of service in Academic Level 12/Selection-Grade.



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(2) A Ph.D. degree in subject relevant /allied/relevant discipline.

3) Any one of the following during the last three years: completed one course / programme from amongst the categories of Refresher Courses/ Methodology Workshop/Syllabus Up-gradation Workshop/Teaching-Learning-Evaluation Technology Programme/ Faculty Development Programme of at least two weeks (ten days) duration (or completed two courses of at least one week (five days) duration in lieu of every single course/programme of at least two weeks (ten days) duration); or completed one MOOCs course (with e-certification); or contribution towards development of e-contents in 4-quadrant (at least one quadrant) minimum of 10 modules of a course/contribution towards development of at least 10 modules of MOOCs course/ contribution towards conduct of a MOOCs course during the period of assessment.”

8. The said Government Order adopting the UGC regulations are binding on the Universities across the state of Tamil Nadu. Therefore, qualification of Ph.D. is a mandatory qualification prescribed, and admittedly the appellant does not possess the qualification of Ph.D. Therefore this Court does not find any infirmity in the respect of the order dated 17.11.2025 in the W.P.No.32549 of 2024 and the same is confirmed.



9. Accordingly, the writ appeal is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

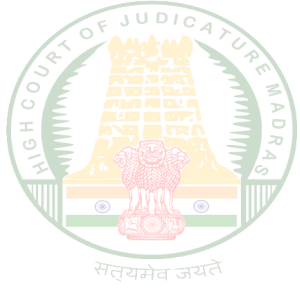
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(S.M.S.,J.) (N.S.,J.)
15-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GD

1. The Government of Tamil Nadu
Represented by its Secretary,
Department of Law,
Secretariat, St. George Fort,
Chennai-600 009.
2. The Director,
Directorate of Legal Studies,
Purusawakkam, Kilpauk,
Chennai- 600 010.
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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

GD

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