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WP No. 11519 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 11519 of 2026

and

WMP No. 12564 & 29479 of 2026

S.Thirumalai Vendan

..petitioner(s)

Vs

1. The Secretary to Government,
Tamil Development and Information
Department,
Fort St.George, Secretariat,
Chennai-600 009
2. The Director,
Information and Public Relations Department
and Ex-Officio Joint Secretary to Government,
Fort St.George, Secretariat,
Chennai-600 009

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, seeking writ of certiorarified mandamus calling for the entire records connected with the impugned order passed by the 1st respondent in Government Letter No.11939108/nir.1/2025 dated 05.02.2026 and to quash the same and direct the 1st and 2nd respondents to promote the petitioner to the post of Principal / Principal incharge in Tamil Nadu Government M.G.R.Film and Television Institute, Taramani, Chennai.



For petitioner(s):

Mrs, Dakshayani Reddy
Senior Counsel
For Mr.T.R.Prabhakaran

For Respondent(s):

Mr.V.Sivalingam
Government Advocate

Order

This writ petition is filed for the following relief:

“To call for the entire records connected with the impugned order passed by the 1st respondent in Government Letter No.11939108/nir.1/2025 dated 05.02.2026 and to quash the same and direct the 1st and 2nd respondents to promote the petitioner to the post of Principal / Principal incharge in Tamil Nadu Government M.G.R.Film and Television Institute, Taramani, Chennai.”

2. The petitioner was recruited through TNPSC as Assistant Lecturer in Film Editing Department in the Tamil Nadu Government M.G.R. Film and Television Institute, Taramani, Chennai, on 28.07.1994. On 27.01.2015, he was promoted as a Lecturer. At present, the petitioner is holding an additional incharge post of Head of Department of Film Editing and Head of Department of Direction and Screenplay Writing.



3. The petitioner would submit that as per adhoc rule, he is eligible to be promoted as Principal in the Tamil Nadu Government M.G.R. Film and Television Institute, Taramani, Chennai, since he has a Diploma in Film Editing of Film Technology & Bachelor Degree and is also having 31 years teaching experience. The petitioner submits that he is the senior most eligible candidate for the post of principal and he is having requisite qualification as prescribed by the rule. Therefore, the petitioner sent a representation through online to the Chief Minister's Cell to post him as Principal / Principal incharge and the same was not considered.

4. The petitioner filed W.P.No.13869 of 2025 to quash the order passed by the 2nd respondent dated 24.03.2025 and direct the 1st and 2nd respondents to consider the petitioner to the post of Principal / Principal incharge in the Tamil Nadu Government M.G.R. Film and Television Institute, Taramani, Chennai. Pending the writ petition, as per direction of this court, the 2nd respondent vide order dated 26.08.2025 had dropped the 17 (b) charges pending against the petitioner.

5. Thereafter, the writ petition was disposed of with a direction to the respondents to consider the petitioner for promotion to the post of Principal / Principal In-Charge in the Tamil Nadu Government M.G.R Film and Television



Institute, if eligible.

6. The grievance of the petitioner is that the 1st respondent issued a letter dated 05.02.2026 stating that the petitioner cannot be promoted to the post of Principal / Principal in-charge in the Tamil Nadu Government M.G.R. Film and Television Institute, Taramani, Chennai on account of pendency of criminal case against him.

7. Challenging the same, the petitioner is before this Court.

8. Heard the learned counsels on the either side and perused the records.

9. The petitioner seeks to be promoted in the post of Principal / Principal (In-charge) in the Tamil Nadu Government M.G.R. Film and Television Institute, Taramani, Chennai, as he is the only person who qualifies for the same by reason of being lecturer in the said institution from the year 1994 and also on account of the fact that he is holding the post of HOD (In-charge). The petitioner's request has been turned down on the ground that there is a criminal case pending against him in CC.No.9888 of 2018 on the file of the XI Metropolitan Magistrate, Saidapet. However, 17(b) charges for the very same set of facts has been dropped by the respondents. Though in the impugned order the petitioner's request has been turned down on account of the pendency



of the criminal case, however, during the argument the learned Government Advocate expanded the argument and would state that promotion to the post of Principal as per adhoc rules was by the following methods:

(i)Promotion from the post of Head of section in the said Institute: or

(ii)Recruitment by transfer from any other service; or

(iii)Direct recruitment.

10. Further, the adhoc rules for the post of Head of Section (Film Editing) provides the following modes of appointment:

(i)Recruitment by transfer from among the holders of the posts of Lecturer (Non-Gazetted) in the Institute of Film Technology; or

(ii)By transfer from any other class or category; or

(iii)By direct recruitment.

11. The argument of the learned Government Advocate is that the petitioner has not been promoted to the post of HOD (Film Editing) and consequently he cannot be promoted to the post of Principal as he has not completed the requisite period in the feeder category. However, the petitioner seeks recruitment by transfer and it is his case that he fully qualifies as he possess educational qualification as well as experience provided therein.



12. The argument of the learned Government Advocate that the petitioner cannot seek recruitment by transfer as he belongs to very same department cannot be countenanced in the light of the respondents themselves considering the case of C.Ramasubareddy, for the post of HOD by recruitment by transfer. The Government Order to that effect has also been issued in GO.No.220 dated 25.10.2025, in and by which the said Ramasubareddy has been appointed as HOD by recruitment by transfer. The said Ramasubareddy belongs to the very same department.

13. At present, it is a third party who is now discharging functions of Principal (In-charge). When there are eligible candidates within the institute, there is no necessity to have a third person officiating as Principal. The petitioner has put in 24 years of service as Lecturer. Therefore, he fully qualifies the experience category. Further, the 17 (b) charges which have been initiated against the petitioner has also been dropped by proceeding dated 26.08.2025, by the 2nd respondent and there is no impediment.

14. Further, the Division Bench of this Court in WA.No.2604 of 2022 has observed that the pendency of the criminal case would not be a legal impediment to consider the claim of the employee notionally. Therefore, in the light of the above judgement taking into consideration that there is no impediment to the petitioner being appointed as Principal (In-charge) by



recruitment by transfer as done in the case of C.Ramasubareddy.

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15. In the result, this writ petition is allowed. Consequently, the connected miscellaneous petitions are closed. No costs.

06-08-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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Fort St.George, Secretariat,
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2. The Director,
Information and Public Relations Department and
Ex-Officio Joint Secretary to Government,
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P.T.ASHA J.

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