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W.P.No.31038 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2026

CORAM

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

W.P.No.31038 of 2026

Mannar Thirumalai Naicker College,
Rep. by its Secretary,
Sridhar Rajagopal Subbiah,
T-3, T-4, Revathy Block, Satya Elite Apartments,
New Natham Road, Thiruppalai, Madurai.

..Petitioner(s)

Vs.

1. The Government of Tamil Nadu,
Represented by the Principal Secretary,
Higher Education Department,
Fort St. George, Chennai – 600 009.
2. The Government of Tamil Nadu,
Represented by the Principal Secretary,
Finance Department,
Fort St. George, Chennai – 600 009.
3. The Commissioner of Collegiate Education,
I.A.S.E. Campus,
577, Anna Salai, Saidapet,
Chennai – 600 015.
4. The Regional Joint Director of Collegiate Education,
Madurai Region,
Madurai.

..Respondent(s)



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Prayer: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to grant permission to fill up two post of Assistant professors in the department of History and Mathematics in the light of the recommendation given by the 4th respondent dated 23.06.2026 and approve the said appointments.

For Petitioner(s) : Mr.E.Martin Jaya Kumar

For Respondent(s) : Mr.S.Ilamvaludhi,
Special Government Pleader

ORDER

This writ petition has been filed seeking the following relief:-

“to direct the 3rd respondent to grant permission to fill up two post of Assistant professors in the department of History and Mathematics in the light of the recommendation given by the 4th respondent dated 23.06.2026 and approve the said appointments.”

2. The brief facts of the case are as follows:-

2.1 The petitioner is a Linguistic Minority Aided College established in the year 1974 and the institution has been receiving Government aid and has sanctioned teaching posts in various departments. As per the proceedings of the 3rd respondent dated 28.10.1999, 15.02.2019 and 28.02.2019, a total of 55 teaching posts were sanctioned to the petitioner college.



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2.2 Out of the above said 55 posts, during the year 2025, one post of Assistant Professor each in the History and Mathematics Departments fell vacant on account of the retirement of the respective incumbents on 30.04.2025, which are sanctioned posts and require permission to fill up. Therefore, the petitioner submitted a proposal on 25.06.2025 to the respondents seeking permission to fill the said vacancies, pursuant to which, the 4th respondent, *vide* proceedings dated 29.10.2025 forwarded the said proposal to the 3rd respondent.

2.3 However, as there was no further progress, the petitioner filed W.P. (MD).No.36761 of 2025, and the said writ petition was disposed of on 02.01.2026, directing the 3rd respondent to consider the proposal. Pursuant to the said order of this Court, the 3rd respondent, *vide* letter dated 02.01.2026 seeking additional information regarding the student strength, and the petitioner college has furnished the required particulars along with the workload details on 22.01.2026. After verification, the 4th respondent had forwarded the proposal to the 3rd respondent with a positive recommendation on 28.01.2026.

2.4 Instead of granting permission, the 3rd respondent had rejected the proposal, *vide* proceedings dated 13.05.2026 stating that the student strength was insufficient. Aggrieved by the same, the petitioner submitted a detailed



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representation to the 4th respondent on 08.06.2026 requesting to constitute a committee and verify the actual workload. Thereafter, the 4th respondent had constituted a committee, which inspected the institution and verified the student strength, staff strength, workload and submitted a detailed report to the 3rd respondent, recommending to grant permission to fill up both the sanctioned posts, *vide* proceedings dated 23.06.2026. Despite the said recommendation of the 4th respondent, the 3rd respondent has failed to pass appropriate orders granting permission. Hence, the petitioner has come up with the present writ petition.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. The petitioner is aggrieved by the fact that they have to fill up the vacancies in the post of Assistant Professor in History and Mathematics Department, which had fallen vacant on account of retirement of the respective incumbent on 30.04.2025. Therefore, the petitioner submitted a proposal on 25.06.2025, seeking permission of the respondents to fill up the said sanctioned posts. This proposal was forwarded by the 4th respondent to the 3rd respondent



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on 29.10.2025. Since there was no further action on the representation, the petitioner was constrained to file W.P.(MD).No.36761 of 2025. The said writ petition was disposed of on 02.01.2026, directing the 3rd respondent to consider the proposal.

5. However, the Commissioner, after being furnished with the particulars regarding the student strength, workload, etc., proceeded to reject the proposal, *vide* order dated 13.05.2026, stating that the student strength was insufficient. However, the 4th respondent, before whom the petitioner had submitted a detailed representation, has inspected the institution and verified the student strength, staff strength, workload and submitted a detailed report to the 3rd respondent recommending to grant permission to fill up the said two sanctioned posts, *vide* proceedings dated 23.06.2026. However, the Commissioner has not passed orders to date.

6. The rejection on 13.05.2026 was on the ground that the student strength was insufficient. However, the 4th respondent had constituted a committee which had gone and inspected the petitioner institution and submitted their report and therefore, the 4th respondent had recommended to the



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3rd respondent to approve the proposal of the petitioner school for appointment of the two Assistant Professors in the Department of History and Mathematics.

7. In view of the above, the 3rd respondent is therefore, directed to grant permission to the petitioner school to fill up the two sanctioned posts, in the light of the recommendation of the 4th respondent dated 23.06.2026 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above directions, this Writ petition stands disposed of. No costs.

06.08.2026

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

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P.T.ASHA, J.

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