



WEB COPY



W.P.No.7754 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.7754 of 2020
and W.M.P.No.9143 of 2020

S.Kumaran

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. by Secretary to Government,
Higher Education Department,
Chennai – 600 009.
- 2.The University Grants Commission,
Rep. by its Member Secretary,
Bahadur Shah Zafar Marg,
New Delhi – 110 002.
- 3.The President,
Pachaiyappa's Trust Board,
Rep. by Justice P.Shanmugam (Retd.),
Pachaiyappa's College Campus,
Chennai – 30.
- 4.The Registrar,
University of Madras,
Centenary Building,
Chepauk, Chennai – 600 005.
- 5.The Director of College Education,
College Road, Chennai – 600 006.
- 6.The Joint Director of Collegiate Education,

Page No.1 of 9



W.P.No.7754 of 2020

Chennai Region, Chennai -15.

7.The Joint Director of Collegiate Education,
Vellore Region, Vellore.

8.Secretary,
College Committee,
Pachaiyappa's College,
Chennai – 600 030.

9.Secretary, College Committee,
C.Kandaswami Naidu College for Men,
Anna Nagar, Chennai – 600 102.

10.Secretary, College Committee,
Chellammal Women's College, Guindy,
Chennai.

11.Secretary, College Committee,
Pachaiyappa's College for Men,
Kanchipuram.

12.Secretary, College Committee,
Pachaiyappa's College for Women,
Kanchipuram.

13.Secretary, College Committee,
C.Kandaswami Naidu College for Women,
Cuddalore.

14.G.Sivabalan

15.L.Venkatesan

16.O.Vijayalakshmi

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India,
praying for issuance of Writ of Declaration declare that the selection of
Assistant Professors for appointment in the Colleges established and



W.P.No.7754 of 2020

administered by the third respondent Trust made by the Combined Selection Committee constituted on 17.02.2016 and consequential decision taken in the Combined College Committee Meeting of Pachaiyappa's Trust Board Aided Arts and Science Colleges at Chennai, Kanchepuram and Cuddalore on 17.02.2016 for making appointment pursuant to the Notification dated 02.12.2015 of the third respondent herein as arbitrary, illegal and in violation of the provisions of the Tamil Nadu private Colleges (Regulation) Act, 1976 and Rules and the University Grants Commission Regulations and consequently direct the third respondent herein to hold selection for the post of Assistant Professors afresh.

For Petitioner : Mr.R.Rajasekaran

For Respondents 1, 5, 6 & 7 : Mr.C.Jayaprakash
Government Advocate

For Respondent 2 : Mr.B.Rabu Manohar,
Standing Counsel

For Respondents 3, 8 to 13 : Mr.M.R.Jothimani

For Respondent 4 : M/s.V.Sudha

For Respondents 14 & 15 : Mr.R.Gopinath

ORDER

This writ petition has been filed by the petitioner to declare that the selection of Assistant Professors for appointment in the Colleges established and administered by the third respondent Trust made by the Combined



W.P.No.7754 of 2020

Selection Committee constituted on 17.02.2016 and consequential decision taken in the Combined College Committee Meeting of Pachaiyappa's Trust Board Aided Arts and Science Colleges at Chennai, Kanchepuram and Cuddalore on 17.02.2016 for making appointment pursuant to the Notification dated 02.12.2015 of the third respondent herein as arbitrary, illegal and in violation of the provisions of the Tamil Nadu private Colleges (Regulation) Act, 1976 and Rules and the University Grants Commission Regulations and consequently direct the third respondent herein to hold selection for the post of Assistant Professors afresh.

2. When the matter was taken up for hearing, learned counsel appearing for the respondents 3, 8 to 13 submitted that the subject matter notification i.e., Notification No.1 of 2015, dated 02.12.2015 has already been quashed by the learned Single Judge of this Court in W.P.Nos.19939 of 2014 and 36827 of 2016 dated 17.11.2022. For better appreciation, the relevant portion of the order is extracted hereunder:

“100. Accordingly, the following orders are passed:

(1) The selection and appointment of the candidates made pursuant to the Pachaiyappa's Trust Board Notification Nos.03/2013 dated 12.12.2013, No.1/2014 dated 18.02.2014 and



W.P.No.7754 of 2020

No.01/2015 dated 02.12.2015 are declared as null and void.”

3. Learned counsel appearing for the respondents 3, 8 to 10 further submitted that challenging the order of this Court in W.P.Nos.19939 of 2014 and 36827 of 2016 dated 17.11.2022, the Government has preferred writ appeal in W.A.No.2558 of 2022 and the Division Bench of this Court was pleased to stay the order dated 17.11.2022 during the pendency of the appeals.

4. In view of the above submission made by the learned counsel for the petitioner, nothing survives in this writ petition for further adjudication.

5. Accordingly, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

15.11.2024 (vm)

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No



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W.P.No.7754 of 2020

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- 7.The Joint Director of Collegiate Education,
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Page No.6 of 9



W.P.No.7754 of 2020

8. Secretary,
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Anna Nagar, Chennai – 600 102.
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W.P.No.7754 of 2020

J.SATHYA NARAYANA PRASAD,J.

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W.P.No.7754 of 2020



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W.P.No.7754 of 2020

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