



W.P.No.19925 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.19925 of 2024

and

W.M.P. Nos. 21792 and 21794 of 2024

Dr. K.Selvarajan

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Higher Education Department,
Fort St. George,
Chennai – 600 009.

2. The Registrar,
Bharathiar University,
Coimbatore.

3. Bishop Thorp College,
Rep. by its Secretary,
Dharapuram, Tiruppur District.

4. Dr. Victor Lazarus

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, to declare that the appointment of the fourth respondent as the Principal Incharge is illegal and unsustainable in



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law as per UGC Regulations, 2018 as adopted by the first respondent in G.O. Ms. No. 5, Higher Education Department dated 11.01.2021.

For Petitioner : Mr. R.Ramachandran

For Respondents : Mr. R.Neethiperumal,
Government Advocate (for R1)

O R D E R

The Writ Petition has been filed to declare that the appointment of the fourth respondent as Principal In-charge is illegal and unsustainable in law, as per UGC Regulations, 2018, as adopted by the first respondent in G.O. Ms. No. 5, Higher Education Department, dated 11.01.2021.

2. The petitioner was initially appointed as a Lecturer in the Department of Computer Science of the third respondent/College and his appointment was also approved. He was subsequently promoted to the post of Associate Professor and Head of the Department of Computer Science. The petitioner is the senior-most Professor in the third respondent/College. While that being so, the Principal post was vacant, and as per the rules and regulations, the Vice Principal has to be appointed as Principal in-charge of



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the third respondent/College. However, instead of appointing the Vice Principal as Principal in-charge, the third respondent/College appointed the fourth respondent as Principal in-charge from 11.07.2022. The fourth respondent is not a faculty member of the third respondent/College and does not possess the qualification for the said post of Principal.

3. Admittedly, the fourth respondent was given charge of the Principal of the third respondent/College. He was not appointed as Principal of the third respondent/College. Therefore, the rules and regulations relied upon by the petitioner for the post of Principal do not apply to the present case. Since the fourth respondent was given additional charge as Principal to look after the third respondent/College, this Court finds no reason to declare the in-charge given to the fourth respondent as Principal as null and void. The petitioner has also submitted a representation to consider the senior-most person for appointment as Principal.

4. In view of the above, the Management of the third respondent is directed to consider the request made by the petitioner and take steps to



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fill up the post of Principal from among the eligible candidates on merits and in accordance with law.

5. With the above directions, this Writ Petition is disposed of.

Consequently, the connected Miscellaneous Petitions are closed. No costs.

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Index: Yes/No
Neutral Citation: Yes/No
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To

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Higher Education Department,
Fort St. George,
Chennai – 600 009.
2. The Registrar,
Bharathiar University,
Coimbatore.
3. The Secretary,
Bishop Thorp College,
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G.K.ILANTHIRAIYAN, J.

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