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W.P.No.3218 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.3218 of 2025

Dr.M.V.Mukesh

... Petitioner

Vs.

The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District – 608 002.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider and dispose of the petitioner's representation dated on 04.11.2024 with regard to the pending Professor promotion under Career Advancement Scheme of the respondent University pursuant to the notification dated 08.08.2018 within a stipulated period.

For Petitioner : M/s.M.Velmurugan
For Respondent : Mr.S.Sithirai Anandan

O R D E R

The writ petition has been filed seeking issuance of Writ of Mandamus directing the respondent to consider and dispose of the



W.P.No.3218 of 2025

petitioner's representation dated 04.11.2024 with regard to the pending Professor promotion under Career Advancement Scheme of the respondent University pursuant to the notification dated 08.08.2018 within a stipulated period.

2.The learned counsel appearing for the petitioner would submit that the petitioner is serving as Assistant Professor. Whiles, the respondent invited applications under Career Advancement Scheme for the post of Associate Professor (Stage-1), Associate Professor (Stage-2), Associate Professor (Stage-3), Associate Professor (Stage-4) and Professor (Stage-5). It is the specific submission of the petitioner that based upon the years of service, Assistant Professors are eligible to be promoted as Associate Professors and thereafter after having completed service for certain years as per the UGC Guidelines, they are eligible to be promoted as Professors. It is the further submission that in the case of the petitioner Career Advancement Scheme was not followed as per the UGC Guidelines. Hence, the petitioner has sent representation on 04.11.2024.

3.It is the further submission of the learned counsel appearing for the petitioner that in identical case, this Court in W.A.Nos.1807 of



W.P.No.3218 of 2025

2022 etc., batch vide order dated 13.07.2023 has observed as follows:

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"19. At this juncture, it is also pertinent to mention that unlike in the case of ordinary promotions, the issue of seniority is not interlinked to the promotions which are given to the faculty under the UGC career advancement scheme. As such, there would be no ensuing problem of seniority being either flouted or unsettled by granting of promotions to the teaching faculty on the basis of their eligibility under the UGC Regulations from a retrospective date from which they become eligible for the promotional post.

20. In view of the above analysis and reasoning, we hold that the appellants are entitled to dual/ double promotion as long as they fulfil the eligibility criteria as mentioned in the UGC Regulations, and they cannot be denied their right to be considered for promotion on account of the inaction or failure of the respondent University in conducting CAS promotions by constituting the Screening -cum -Evaluation Committee as required under the Regulations. In other words, it is made clear that the appellants did not work as Associate Professor for the required number of years, shall not stand in the way of their being promoted to the post of Professor, if the



WEB COPY



W.P.No.3218 of 2025

promotion to be given to them for the post of Associate Professor relates back to the date from which their service being counted, would make them eligible for the post of Professor or the next level promotional post.

21. In the result, all these writ appeals stand allowed. Consequently, the orders impugned herein as well as in the writ petitions are set aside. The respondent University is directed to consider the claim of the appellants seeking further promotion to the post of Professor under the CAS and pass necessary orders, within a period of three months from the date of receipt of a copy of this judgment. No costs. Consequently, connected miscellaneous petitions are closed."

4.Hence, it is the submission of the learned counsel appearing for the petitioner that the petitioner's representation dated 04.11.2024 has to be considered in line with the above order.

5.Per contra, the learned Standing Counsel appearing for the respondent would contend that there is High Level Committee constituted and that all the applications have to be scrutinized by High Level Committee and further submitted that the respondent would



W.P.No.3218 of 2025

consider the petitioner's representation in line with the order of the Hon'ble Division Bench of this Court in W.A.Nos.1807 of 2022 etc., batch dated 13.07.2023.

6.In such view of the matter, without going into the merits of the case, this Court deems it appropriate to direct the respondent to consider the representation of the petitioner dated 04.11.2024, upon its own merits and in accordance with law, of course after taking into consideration the ratio laid down in W.A.Nos.1807 of 2022 etc., batch dated 13.07.2023, and pass orders, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that in the event of any modification in the above writ appeal order in review application, the respondent is at liberty to act as directed in the review application.

7.The writ petition is disposed of with the above directions. No costs.

17.07.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

5/6



WEB COPY



W.P.No.3218 of 2025

C.KUMARAPPAN,J.
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To

The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District – 608 002.

W.P.No.3218 of 2025

17.07.2025

6/6