



WEB COPY



W.P.No.2900 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.2900 of 2024
And
W.M.P.No.3139 of 2024**

S.Arivoli

... Petitioner

Vs.

- 1 THE STATE OF TAMIL NADU,
REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT,
HIGHER EDUCATION (F1) DEPARTMENT,
FORT ST.GEORGE,
SECRETARIAT,
CHENNAI-600 009.
- 2 THE DIRECTOR OF COLLEGIATE EDUCATION,
DIRECTORATE OF COLLEGIATE EDUCATION,
GOVERNMENT OF TAMIL NADU,
COLLEGE ROAD, CHENNAI-600 006.
- 3 THE JOINT COMMISSIONER,
(EDUCATION AND CHARITABLE INSTITUTIONS),
HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS
DEPARTMENT,
119, UTHAMAR GANDHI SALAI,
NUNGAMBAKKAM,
CHENNAI-600 034.
- 4 THE SECRETARY AND CORRESPONDENT,
POOMPUHAR COLLEGE (AUTONOMOUS)
OF THE TAMIL NADU H.R AND C.E. ADMN. DEPT.,
MELAIYUR-609 107, SIRKALI TALUK,
MAYILADUTHURAI DISTRICT.

... Respondents



W.P.No.2900 of 2024

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order issued by the first respondent dated 02.01.2024 in Letter No.1837/F1/2023-2, and quash the same, consequently direct the respondents 1 and 2 to re-appoint the petitioner as Professor in the parent department viz., Thiru.Vi.Ka. Government Arts College, Thiruvarur as per the UGC Regulations 2018 forthwith.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.M.R.Gokul Krishnan for R1 and R2
Additional Government Pleader
Mr.S.Ravichandran for R3 and R4
Additional Government Pleader (HR&CE)

ORDER

This writ petition has been filed seeking issuance of Certiorarified Mandamus, calling for the records of the impugned order issued by the first respondent dated 02.01.2024 in Letter No.1837/F1/2023-2, and quash the same, consequently direct the respondents 1 and 2 to re-appoint the petitioner as Professor in the parent department viz., Thiru.Vi.Ka. Government Arts College, Thiruvarur as per the UGC Regulations 2018 forthwith.



W.P.No.2900 of 2024

2.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Lecturer in the Chemistry Department on 06.10.1998 and was posted at the Government Thirumagal Mills College, Gudiyatham, Vellore and was subsequently posted as Senior Lecturer at M.R.Government Arts College, Mannargudi and as Reader at H.H. The Raja's Government College (Autonomous), Pudukottai and was subsequently transferred to Thiru.Vi.Ka. Government Arts College, Thiruvarur and worked as Associate Professor and Head of the Department of Chemistry from July 2010 till 10.07.2018.

3.The learned counsel appearing for the petitioner further submitted that on 07.05.2018, the fourth respondent called for applications from eligible Associate Professors for direct recruitment to the post of Principal and the petitioner applied for the said post and vide order dated 31.05.2018, the petitioner was appointed as the Principal of the fourth respondent College and the tenure of appointment was fixed as 5 years as per UGC Regulations, 2018. The first respondent passed G.O.(D) No.220, Higher Education Department dated 06.07.2018 accepting the proposal of the second respondent to grant permission to work as Principal at the fourth respondent College



W.P.No.2900 of 2024

WEB COPY

on lien basis for a period of one year from the date of relief from Thiru.Vi.Ka. Government Arts College.

4.The learned counsel appearing for the petitioner further submitted that the petitioner joined as Principal in the fourth respondent College on 11.07.2018. Thereafter, the fourth respondent obtained necessary statutory approval from the second respondent for continuing and absorbing the petitioner as Principal, along with the release of grants – in – aid and the second respondent also vide proceedings dated 26.08.2020, approved the petitioner's foreign service as Principal in the fourth respondent College. Whiles, the fourth respondent issued relieving order dated 22.02.2023 relieving the petitioner from the post of Principal without any notice.

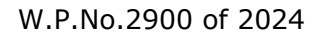
5.The learned counsel appearing for the petitioner further submitted that the petitioner served as Professor in Thiru.Vi.Ka. Government Arts College, Thiruvarur and was transferred to the fourth respondent College. The petitioner joined as Principal in the fourth respondent College on 11.07.2018 on lien approved by respective authorities, however, the petitioner was forcefully relieved from the



W.P.No.2900 of 2024

fourth respondent. The learned counsel further submitted that the petitioner is entitled to rejoin in the parent department in Thiru.Vi.Ka. Government Arts College, Thiruvarur. In this regard, the petitioner made representation to the respondents and since there was no response, filed W.P.No.8997 of 2023 and pursuant to the order dated 23.11.2023 made in the said writ petition, the first respondent passed the impugned order rejecting the claim of the petitioner under Section 14 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

6.The learned counsel appearing for the petitioner further submitted that the Government issued G.O.(Ms) No.5, Higher Education (H1) Department, dated 11.01.2021, as per which, the Government decided to adopt the UGC Regulations, on minimum qualifications for appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2018 to the Teachers and other Academic Staff in the Universities under the control of Higher Education Department and Government / Government aided Colleges in toto with minor modifications with effect from 01.04.2020. Accordingly ordered that a College Principal shall be appointed for a





W.P.No.2900 of 2024

joined as Principal in the fourth respondent College on 11.07.2018 on lien basis for a period of one year from the date of relief from Thiru.Vi.Ka. Government Arts College. Thereafter, the fourth respondent obtained necessary statutory approval from the second respondent for continuing and absorbing the petitioner as Principal, along with the release of grants – in – aid and the second respondent also vide proceedings dated 26.08.2020, approved the petitioner's foreign service as Principal in the fourth respondent College. However, the fourth respondent issued relieving order dated 22.02.2023 relieving the petitioner from the post of Principal without any notice. The grievance of the petitioner is that the petitioner is entitled to rejoin in the parent department in Thiru.Vi.Ka. Government Arts College, Thiruvarur. However, the first respondent rejected the request of the petitioner.

10.Perusal of G.O.(Ms) No.5, Higher Education (H1) Department, dated 11.01.2021, makes it clear that a College Principal shall be appointed for a period of five years, extendable for another term of five years on the basis of performance assessment by a Committee appointed by the University, constituted as per these regulations. After the completion of his/ her term as Principal, the



W.P.No.2900 of 2024

incumbent shall join back his/ her parent organization with the designation as Professor and in the grade of the Professor. However, there is no discussion about G.O.(Ms) No.5, dated 11.01.2021 in the impugned order. On the sole ground, this Court is inclined to set aside the impugned order and remand the matter back to the first respondent.

11.Accordingly, the order dated 02.01.2024 issued by the first respondent is set aside and the matter is remanded back to the first respondent. The first respondent is directed to consider the matter with regard to the applicability of G.O.(Ms) No.5, Higher Education (H1) Department, dated 11.01.2021 and if G.O.(Ms) No.5 is applicable, pass appropriate orders in favour of the petitioner.

12.The writ petition is disposed of on the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

08.12.2025

pri

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

8/10



W.P.No.2900 of 2024

WEB COPY

To

- 1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
HIGHER EDUCATION (F1) DEPARTMENT,
FORT ST.GEORGE,
SECRETARIAT,
CHENNAI-600 009.
- 2 THE DIRECTOR OF COLLEGIATE EDUCATION,
DIRECTORATE OF COLLEGIATE EDUCATION,
GOVERNMENT OF TAMIL NADU,
COLLEGE ROAD, CHENNAI-600 006.
- 3 THE JOINT COMMISSIONER,
(EDUCATION AND CHARITABLE INSTITUTIONS),
HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS
DEPARTMENT,
119, UTHAMAR GANDHI SALAI,
NUNGAMBAKKAM,
CHENNAI-600 034.
- 4 THE SECRETARY AND CORRESPONDENT,
POOMPUHAR COLLEGE (AUTONOMOUS)
OF THE TAMIL NADU H.R AND C.E. ADMN. DEPT.,
MELAIYUR-609 107, SIRKALI TALUK,
MAYILADUTHURAI DISTRICT.



WEB COPY



W.P.No.2900 of 2024

M.DHANDAPANI,J.
pri

W.P.No.2900 of 2024
And
W.M.P.No.3139 of 2024

08.12.2025