



WEB COPY

W.A.No.2069 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **K.SURENDER**

W.A.No. 2069 of 2025
and CMP No.15688 of 2025

Dr.M.Venkatachalapathy

... Appellant

Vs.

1. The Registrar
Univeristy of Madras,
Chepauk, Chennai 600 005.

2. The Convener Committee
Rep. by its Members
University of Madras,
Chepauk, Chennai 600 005.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside
the order passed in WP No.20141 of 2025 dated 10.06.2025.

For Appellants : Mr.S.Parthasarathy, Senior Counsel
For Mr.K.Rajasekaran

For Respondent : Mr. D.Ravichander, for R1



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JUDGMENT

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

Aggrieved by the order of the Writ Court dated 10.06.2025 made in WP No.20141 of 2025 dismissing the said Writ Petition the instant appeal has been filed.

2. The prayer in the writ petition was to quash the communication of the University dated 30.05.2025 restricting the period of reemployment of the appellant to 31.05.2025 instead of 30.06.2025 (the date of closure of the Academic year as per the University Calender), the appellant is before us.

3. The appellant was working as a Professor and Head of the Department of Philosophy in the respondent University. He attained the age of superannuation on 31.01.2025 and he was allowed to continue in service till the end of the academic year viz. 30.06.2025 on reemployment terms and conditions as per the statute 29(4) Chapter 9 Volume I of the University's Calender. Little greedy, as he was, the appellant sought for



extension of his services beyond 30.06.2025 on the ground that the Department will go headless, if he is to be superannuated on 30.06.2025.

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Since his representation was not considered, he moved this Court in WP No.18957 of 2025 seeking a Mandamus directing the respondents to consider his representation dated 29.04.2025 to continue in service from 01.07.2025 till the vacancy is filled up.

4. This Court also issued a Mandamus directing consideration. Angered by the Mandamus issued, the first respondent thought it fit to teach a lesson to the appellant and passed an order reducing his re-employment period to 31.05.2025. Upon challenge before the Writ Court, it was contended that the Academic year ends on 30.05.2025. Reliance was placed on G.O. Ms. No.192 dated 12.11.2024 issued by the Government with reference to Teachers in Government Colleges and Aided Institutions which provides that the closure of the academic year would be on 31st May of every year.

5. Accepting the submission made by the University, the Writ Court



dismissed the Writ Petition, leading to this Appeal.

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6. We have heard Mr.S.Parthasarathy, learned Senior Counsel appearing for Mr.K.Rajasekaran, for the appellant and Mr.D.Ravichander, learned counsel appearing for the University.

7. The University is an Independent Statutory Body governed by its own statutes. Government orders issued in respect of Teachers in Government Colleges and Aided Colleges will not apply to it. The statutes of the University clearly provides that the services of the teaching staff who retire in the middle of the Academic year, be extended beyond the age of 60 till the end of the academic year on re-employment basis. The relevant provision is found in Statute 29 which prescribes a minimum qualifying service for pension and the relevant portion of it reads as follows:

“The retirement of all University Teachers shall take effect from the after-noon of the last day of the month in which they attain superannuation, however, the services of teachers be extended beyond the age of



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60 till the end of academic year on re-employment basis.”

8. The next question that would arise is as to the what is the end of the academic year as far as the University is concerned. The calender of the University shows that the first day of commencement of classes is on 1st of July and last day is 30th of June 2025. Therefore, as far as the University is concerned, the end of the academic year is 30th June of every year and not 31st of May. Therefore, the impugned communication restricting the reemployment to 31.05.2025 is against the provisions of the statutes of the University.

9. Hence the impugned communication is liable to be quashed and it is accordingly quashed. The order of the learned Single Judge will stand set aside, the Writ Petition will stand allowed and the University will pay the salary due to the appellant for the said one month of reemployment which was denied to him.



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10. This Writ Appeal is **allowed**. There shall be no order as to costs.

Consequently, the connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) (K.SURENDER, J.)

17.07.2025

jv

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

To

1. The Registrar
Univeristy of Madras,
Chepauk, Chennai 600 005.

2. The Members
Convener Committee
University of Madras,
Chepauk, Chennai 600 005.



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