



WEB COPY



W.P.No.28078 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.28078 of 2024

and

WMP.Nos. 30631, 30632 & 28337 of 2025

Dr.K.S.Premila

... Petitioner

Vs.

1.Tamil Nadu Open University,
Rep. By its Registrar,
No.577, Anna Salai, Saidapet,
Chennai – 600 015.

2.The Vice Chancellor,
Tamil Nadu Open University,
No.577, Anna Salai,
Chennai – 600 015.

3.Prof S.Arumugam

4.Dr.P.Pandiavadivu

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 05.08.2024 passed by the 1st respondent



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in F.No.TNOU/Estt./Teaching/Memo/KSP/2024/1 and order dated 12.09.2024 passed by the 1st respondent in F.No.TNOU/Posted as Chairperson i/c./2024, quash the same and consequently, direct the respondents 1 to 3 to allow and permit the petitioner to act and function as Director i/e. Of SOE and Chairperson i/c of FOE as per the order dated 01.08.2024 issued by the 1st respondent unless and until any person is appointed to the post of Professor in the SOE and FOE.

For Petitioner : Ms.V.Porkodi for Mr.R.Krishnaswamy

For Respondents : Mr.P.Dinesh Kumar for R1 & R2
Mr.R.M.Sivakumar for R3
Mr.G.Pugazhenthii for R4

ORDER

This Writ Petition has been filed against the order dated 05.08.2024 passed by the 1st respondent and consequently, to direct the respondents 1 to 3 to allow and permit the petitioner to act and function as Director i/c of SOE and Chairperson i/c of FOE as per the order dated 01.08.2024 issued by the 1st respondent unless and until any person is appointed to the post of Professor in the SOE and FOE.



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2. The learned counsel for the petitioner would submit that the petitioner was appointed as Lecturer in the year 2006 in the School Education Department in Tamil Nadu Open University and thereafter, she was promoted as Associate Professor in continuing education through direct recruitment on 29.01.2015 and as Associate Professor in Educational Technology on 04.03.2015. The petitioner is the senior most person in School of Education and also the senior most among Associate professors in the School of Education(SOE). She was posted as a Chairperson, in-charge of Faculty of Education(FOE), upon retirement of Former Director, SOE and Chairperson , FOE, by an order dated 01.08.2024. On the same day, she was further directed to have all the files, documents and items available in FOE under her custody and report the same to the 1st respondent. Subsequently, the petitioner was issued an impugned charge memo on 05.08.2024 alleging that she has failed to comply with the orders of the higher Officials in taking over the files, documents and items available in FOE under her custody and thereafter, on the very same allegation, the respondent passed an another impugned order on 12.09.2024 relieving the petitioner from the post of



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Chairperson, in-charge of Faculty of Education and Director and in-charge of School of Education and posting 4th respondent, who is junior of the petitioner to take charge as Chair Person, in-charge of FOE and Director, in-charge of SOE. Challenging the same, the present writ petition is filed.

3. The learned counsel for petitioner would submit that in-charge order was passed by the 1st respondent and pursuant to same, the 1st respondent directed the petitioner to have the files hence, she possessed files and there is no taking over and handing over the files. The respondent inadvertently arrived at a conclusion as if the petitioner taken over the charge without approval of the 1st respondent, which is not acceptable one. However, while entertaining the writ petition, this Court granted an interim order of stay. By virtue of an interim order, the petitioner has continued as a Chairperson (in-charge) and hence, this Court may issue a direction to the respondents to conclude the disciplinary proceedings as against the petitioner and pass appropriate orders and subsequent to the final order, the respondents may decide whether the petitioner is entitled to continue as Chairperson in-charge or not. Accordingly, prayed for appropriate orders.

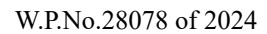


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4. Per contra, learned counsel for the respondents would submit that though the respondent posted the petitioner as in-charge of FOE vide order dated 01.08.2024, on the same day, she was possessed the files, without approval to taken over the charge and handing over the charge. The handing over or taking over the charge has to be followed with prior approval of the 1st respondent, and the said procedure is not followed thereby, the charge memo was issued as against the petitioner. However, he would submit that the enquiry will be concluded as soon as possible as per the direction order issued by this Court.

5. The learned counsel appearing for the 4th respondent would submit that this Court may issue a direction to the 1st respondent to conclude the disciplinary proceedings as against the petitioner and pass appropriate orders with regard to the in-charge and appoint a suitable person to the post of Chairman, Faculty of education within the time fixed.



7. This Writ Petition is disposed of with the above terms. No costs.

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M.DHANDAPANI, J.

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