



WEB COPY

W.P.No.37769 of 2025

In the High Court of Judicature at Madras

Reserved on 06.11.2025	Delivered on : 13.11.2025
----------------------------------	-------------------------------------

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

W.P.No.37769 of 2025 &
WMP.Nos.42237, 42239 & 45079 of 2025

Dr.C.Murugan, Associate
 Professor & Head,
 Department of Sanskrit,
 University of Madras,
 ORI Marina Campus,
 Chennai-5.

...Petitioner

Vs

1.The Registrar, University
 of Madras, Chepauk,
 Chennai-5.

2.The Convenor, Vice
 Chancellor Convenor
 Committee, University of
 Madras, Chepauk,
 Chennai-5.

...Respondents

PETITION under Article 226 of The Constitution of India praying
 for the issuance of a Writ of Certiorarified Mandamus to call for the
 records relating to the impugned notice by the 1st respondent in
 proceedings No.V.1/Chan_Nomi/Cess/09-2025/326 dated 23.9.2025,



W.P.No.37769 of 2025

quash the same and consequently direct the 1st respondent to produce and publish the sealed cover containing the result of the CAS interview so as to enable the petitioner to continue the syndicate member till his tenure.

For Petitioner : Mr.K.M.Vijayan, SC for
M/s.K.M.Vijayan Associates

For Respondents : Mr.P.S.Raman, SC
assisted by
Mr.P.Dineshkumar,
Standing Counsel

ORDER

This is a petition filed by the petitioner challenging the notice of the first respondent dated 23.9.2025 and for a consequential direction to the first respondent to produce and publish the sealed cover containing the result of the CAS interview so as to enable the petitioner to continue as a Syndicate Member for the entire tenure.

2. Heard both.

3. The case of the petitioner is as follows :



W.P.No.37769 of 2025

WEB COPY

(i) The petitioner is working as an Associate Professor of Sanskrit and he is also in-charge of Head of the Department (HOD) from 2011 to 2014 and continues to serve in the same position till date. He was appointed as a Member of the Senate for a period of three years on 09.9.2022. As per the Syndicate Rules, elections were duly conducted for selecting the members of the Syndicate and accordingly, results were published on 26.6.2024, in which, the petitioner has been selected as one among the six Members to the Syndicate by the Senate for the period commencing from 26.6.2024 ending on 25.6.2027.

(ii) An interview was held on 01.9.2025 for 77 candidates including the petitioner under the Career Advancement Scheme (CAS). The petitioner also appeared for the interview and according to the petitioner, he was selected and this fact was communicated to him orally by the Committee. Thus, the petitioner has been promoted as a Professor and since he is the only candidate, he will also become the HOD.

(iii) The results of the interview were declared for 72 candidates and orders were also duly passed under the CAS whereas the result of the petitioner was deliberately withheld to ensure that the tenure of



W.P.No.37769 of 2025

the petitioner as the Senate Member came to an end on 09.9.2025 and thereby deprived the petitioner from continuing in the Syndicate. Thus, the petitioner alleges colourable exercise of power.

(iv) Thereafter, the first respondent, through communication dated 23.9.2025, informed the petitioner that consequent to the cessation of the membership in the Senate on 08.9.2025, the membership in the Syndicate, Syndicate Sub-Committees and other Committees also ceases on 08.9.2025. It is under these circumstances, the above writ petition came to be filed before this Court.

4. When the writ petition was entertained on 03.10.2025, an interim protection was granted and it was subsequently extended on 27.10.2025.

5. Pursuant to that, the first respondent filed a counter affidavit for himself and on behalf of the second respondent and also filed WMP. No.45079 of 2025 seeking to vacate the interim protection granted on 03.10.2025. In the counter filed by the respondents, they took the following stand :



W.P.No.37769 of 2025

WEB COPY

(i) The petitioner, upon cessation of his tenure in the Senate, also lost his membership in the Syndicate as per the relevant provisions under the Madras University Act, 1923 (for short, the Act) and the University Calender, Volume I, Chapter XII, Paragraph 1(6)(b)(i) and Chapter XI, Paragraph 9(2)(c).

(ii) The respondent - University denied the stand taken by the petitioner that his result was orally announced. The minutes of the Selection Committee for all those candidates, who appeared for the interview under the CAS, have been kept in a sealed cover and are pending presentation before the Syndicate. Only after the Chairman opens the sealed covers during the Syndicate meeting, the results will be formally declared. This Syndicate meeting is yet to be convened.

(iii) The respondent - University completed the interview for 72 candidates under the Screening-cum-Evaluation Committee and the petitioner falls under the purview of the Selection Committee since he is seeking promotion to the post of Professor. Four other candidates also fall under this category and their results are pending declaration.

(iv) The petitioner, who ceased to be a Senate Member, is continuing his membership in the Syndicate by virtue of the interim orders passed by this Court and the petitioner is seeking to continue in



W.P.No.37769 of 2025

that position anticipating that he attained the position of a Professor and the HOD, which has not actually taken place and the results are pending. Even if he attains that position, he could claim only ex-officio membership in the Senate and it is premature for the petitioner to seek for the relief of continuing as a Member in the Syndicate even before he is promoted as a Professor and becomes the HOD. Accordingly, the respondents sought for vacating the interim order and also for dismissal of this writ petition.

6. The learned Senior Counsel appearing on behalf of the petitioner made the following submissions :

(a) This is a clear case of colourable exercise of power since the tenure of membership of the petitioner in the Senate is upto 25.6.2027. The respondents are preventing the petitioner to continue his membership in the Syndicate by intentionally not declaring the results of the CAS, which would enable the petitioner to become a Professor and consequently, as the HOD and thereby he would be entitled to continue the membership in the Syndicate.

(b) Till date, the result has not been declared and this has been intentionally done and therefore, the first respondent must be directed



W.P.No.37769 of 2025

WEB COPY

to produce and publish the result of the interview in a sealed cover.

7. Per contra, the learned Senior Counsel appearing on behalf of the respondents made the following submissions :

(a) The petitioner was nominated as a Senate Member by the Chancellor for the first term from 02.8.2019 to 01.8.2022 and for the second term from 09.9.2022 to 08.9.2025. During the second term, the petitioner was elected from among the Senate Members and his tenure was fixed from 26.6.2024 to 25.6.2027. The nomination of the petitioner by the Chancellor is done only on the ground that the petitioner is a Senate Member. Once the petitioner ceases to hold that position, there is no question of the petitioner continuing to hold the membership in the Syndicate.

(b) No Senate Member can continue for more than two terms (six years) and a break of three years is mandatory under the Laws of the University namely Chapter XI, Paragraph 9(1)(b)(i). Hence, only after a break of three years, the petitioner can even make an attempt to get back to the Syndicate if he comes within the eligibility as an ex-officio Member of the Senate under Section 14(a) of the Act.



W.P.No.37769 of 2025

(c) The petitioner attended the interview along with others on 01.9.2025 for stage 4 to stage 5 by the Selection Committee and the results are kept in the sealed cover to seek approval from the Syndicate. There are absolutely no mala fides as are alleged by the petitioner and the cessation of the membership in the Senate will automatically lead to cessation of the membership of the Syndicate as the petitioner falls under this category.

8. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record and more particularly the impugned notice.

9. It is not in dispute that the petitioner was nominated as a Senate Member by the Chancellor during the first term from 02.8.2019 to 01.8.2022 and for the second term from 09.9.2022 to 08.9.2025.

10. Chapter III of the Act deals with the Senate - Powers and Duties. Section 14(9) of the Act speaks about 15 Members, who can be nominated by the Chancellor to the Senate. Chapter IV, Section 18 deals with the Syndicate. The Syndicate can consist of six Members



W.P.No.37769 of 2025

electd by the Senate from among its Members.

WEB COPY

11. In so far as the petitioner is concerned, he was nominated by the Chancellor and was selected under Section 18(1) of the Act as one of the Members of the Senate. Thus, the petitioner owes his position as a Member of the Syndicate by virtue of being a Senate Member.

12. Chapter XI of the Laws of the University speaks about the composition of the Senate. Paragraph 9(1)(b)(i) talks as to how many terms a person will be eligible to continue in the Senate. It states that any person, who has completed two terms of three years in the Senate continuously, shall be eligible after a period of three years has elapsed from the date of his/her ceasing to be such Member, for election or nomination as a Senate Member. The Proviso to this Rule makes it clear that if a person was elected or nominated to one Authority and such person becomes a Member of another Authority by virtue of his membership in the first mentioned authority (Senate and Syndicate and Academic Council), the period, for which, he/she held office in the first mentioned Authority alone shall be taken into account. His/her position with cessation of membership in the Senate will lead to



W.P.No.37769 of 2025

cessation of membership in any Authority is clear from Paragraph 9(2)(c) of Chapter XI.

13. In the case in hand, the second term of the petitioner in the Senate had expired on 08.9.2025 and as a consequence, it resulted in the cessation of the membership in the Syndicate.

14. The grievance of the petitioner is that his membership in the Syndicate has been fixed upto 25.6.2027 and had the results of the petitioner been declared and has the petitioner been selected as a Professor, as a consequence, he will become the HOD and will automatically get into the position of an ex-officio Member, which will entitle the petitioner to continue as the Member in the Syndicate.

15. The petitioner relies upon Chapter XI of the Laws of the University and the Proviso appended to the Explanation.

16. The learned Senior Counsel appearing on behalf of the petitioner made the following further submissions :



W.P.No.37769 of 2025

WEB COPY

(i) A choice is given to the petitioner to communicate to the Vice Chancellor within 7 days from the date of his taking charge of his appointment as a Professor/HOD to choose whether the petitioner will continue to be a Member of the Senate by virtue of his nomination or whether he will vacate the office and become an ex-officio Member by virtue of his appointment. Since this option is available to the petitioner, had the results been declared after the CAS interview, the petitioner would have automatically become an ex-officio Member and would have continued in that position in the Senate and that would have given entitlement to the petitioner to continue as a Member of the Syndicate.

(ii) The petitioner has alleged that there is a colourable exercise of power, which is the main reason for preventing the petitioner to continue his membership in the Syndicate.

17. In the considered view of this Court, it is very difficult for the petitioner to establish such colourable exercise of power since the respondents are purely relying upon the provisions under the Act and the Laws of the University and are justifying the issuance of the impugned communication dated 23.9.2025. In the light of the above,



W.P.No.37769 of 2025

WEB COPY
this Court, at the best, can only look into the provisions and see if the petitioner could have continued as a Member of the Senate by virtue of his promotion to the post of Professor/HOD.

18. The petitioner attended the interview before the Committee under the CAS and since the petitioner comes under the category of Professor, he will fall within the Selection Committee, which handles higher level promotions. Out of 77 candidates, 72 candidates fall under the Screening-cum-Evaluation Committee and the remaining 5 fall under the Selection Committee. In so far as those persons, who come under the Section Committee are concerned, the results have been kept in a sealed cover and it will be placed before the Syndicate. The Chairman of the Syndicate will open the cover and formally declare the results. That stage is yet to be reached and according to the petitioner, such declaration of results is intentionally delayed.

19. This stand taken by the petitioner is unsubstantiated since, apart from the petitioner, there are four other persons, who also fall under the same category and attended the interview before the Selection Committee, which handles higher level promotions. The



W.P.No.37769 of 2025

results of all the five persons have been kept in a sealed cover to be placed before the Syndicate.

20. In the light of the above, the tenure of the petitioner having come to an end on 08.9.2025 and the petitioner having ceased to be a Member in the Senate, he will automatically cease to be a Member of the Syndicate also. The petitioner's attempt to continue as a Syndicate Member on the premise that he will be promoted as a Professor, that he will become the HOD and thereby will become an ex-officio Member and that he will be entitled to continue as a Syndicate Member, is quite far-fetched and premature. The petitioner, having not reached that stage, cannot anticipate that position and continue to hold the membership in the Syndicate on the ground that his tenure in the Syndicate will come to an end only on 25.6.2027.

21. Even on a demurrer, if it is assumed that the petitioner becomes an ex-officio Member and also automatically becomes a Member of the Senate, the question is as to whether the petitioner will be able to have one more tenure in the Senate since the petitioner has already held two terms as a Senate Member.



W.P.No.37769 of 2025

WEB COPY

22. In Chapter XI of the Laws of the University, Paragraph 9(1)(b)(i) places a bar for a person, who get into the third term after he has already held two terms of three years in the Senate and such person must necessarily take a break for three years before getting into the next term in the Senate.

23. The Proviso that was relied upon by the learned Senior Counsel appearing on behalf of the petitioner deals with a situation where an elected or nominated member of the Senate is appointed temporarily to any of the offices, by virtue of which, he is entitled to be a Member of the Senate ex-officio, such person must give a notice in writing and choose as to whether he will continue to be a Member of the Senate by virtue of the nomination or he will vacate the office and become an ex-officio Member by virtue of his appointment. The above Proviso will not come to the aid of the petitioner.

24. In the case in hand, the earlier two terms of the petitioner were by virtue of nomination by the Chancellor, pursuant to which, he has not been temporarily appointed to any office making him entitled to be Member of the Senate ex-officio. Now, the petitioner is aspiring



W.P.No.37769 of 2025

to get the promotion as the Professor and consequently become the HOD and is thereby trying to get into the Senate as an ex-officio Member. The case of the petitioner is other way round, which is not covered under the Proviso that was relied upon by the learned Senior Counsel appearing on behalf of the petitioner.

25. The petitioner faces a clear bar under Chapter XI, Paragraph 9(1)(b)(i) of the Laws of the University since he had already held two full tenures of three years and for the third term, he has to necessarily wait for three years. Therefore, even if the petitioner is promoted as the Professor and he also becomes the HOD and thereby entitled to become an ex-officio Member of the Senate, the break period will apply to the petitioner. Hence, the non declaration of the results after the interview by the Committee under the CAS did not have any impact in the case of the petitioner.

26. In the light of the above discussions, this Court does not find any illegality in the impugned communication dated 23.9.2025 issued by the first respondent.



W.P.No.37769 of 2025

27. Accordingly, the writ petition stands dismissed. No costs.

Consequently, the connected WMPs are also dismissed.

13.11.2025

Index : Yes

Neutral Citation : Yes

To

1.The Registrar, University
of Madras, Chepauk,
Chennai-5.

2.The Convenor, Vice
Chancellor Convenor
Committee, University of
Madras, Chepauk,
Chennai-5.

RS



WEB COPY



W.P.No.37769 of 2025

N.ANAND VENKATESH,J

RS

P.D.ORDER in
W.P.No.37769 of 2025 &
WMP.Nos.42237, 42239 & 45079
of 2025

13.11.2025