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W.P.No.40542 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.40542 of 2025 and
WMP.no.45477 of 2025

Dr.N.Sivashanmugam

... Petitioner

Vs.

1.THE STATE OF TAMILNADU,
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF HIGHER EDUCATION,
FORT ST. GEORGE, CHENNAI 600 009

2.THE TAMIL NADU OPEN UNIVERSITY,
REP BY ITS REGISTRAR,
ANNA SALAI, SAIDAPET, CHENAI 600 015

3.THE DEPUTY DIRECTOR,
LOCAL FUND AUDIT,
UNIVERSITY OF MADRAS,
CHEPAUK, CHENNAI 600 005

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent university to give promotion to the petitioner as Assistant Professor - stage 3 with effect from 13.05.2016 and Associate professor – stage 4 with effect from 13.05.2019 and release the salary and service benefits attached to it with effect from the respective dates of promotion, without reference to the Government Letter no.5222 / K1 / 2018 -1 dated



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13.08.2018

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For Petitioner : Mr.P.Godwon Swaminath
for M/s.Isaac Chambers

For Respondents

For R1 : Mr.M.R.Gokulkrishnan,
Additional Government Pleader

For R2 : Mr.P.Dineshkumar

For R3 : Mr.D.Ravichander

ORDER

This writ petition has been filed for direction to the second respondent to give promotion to the petitioner as Assistant Professor – Stage 3 with effect from 13.05.2016 and Associate Professor – Stage 4 with effect from 13.05.2019 with all monetary benefits.

2. The petitioner applied to the post of Lecturer in Computer Science with the second respondent. Thereafter, he was appointed to the post of Lecturer in Computer Science. Later, the second respondent appointed the petitioner as Lecturer in the School of Computer Science on contractual basis for a period of one year with consolidated pay. Thereafter, the third respondent placed him in the time scale of pay with effect from 16.05.2006 in pursuant to the decision of Syndicate meeting held on 10.05.2006. Hence, he was promoted under the Career



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Advancement Scheme as Assistant Professor – Stage 2 and he was placed

in the academic grade pay of Rs.7,000/- by the order dated 13.05.2011.

However, the appointment of the petitioner was not approved and as such, the second respondent submitted proposal to ratify the appointment of the petitioner as Assistant Professor in the School of Computer Science with the second respondent. However, the request made by the second respondent was rejected by the first respondent's communication dated 13.08.2018 and it was informed that the petitioner was not appointed in accordance with the University Grants Commission guidelines and as such, the request made by the second respondent was rejected. Now the petitioner has submitted representation seeking promotion to the post of Assistant Professor – Stage III with effect from 13.05.2016 and to the post of Associate Professor – Stage IV with effect from 13.05.2019. However, when the petitioner's appointment itself was not made in accordance with the UGC guidelines, the petitioner is not eligible for any promotion and therefore, the request made by the petitioner cannot be considered. As such, this writ petition is devoid of merits and the same is liable to be dismissed.



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3. Accordingly, this writ petition is dismissed. Consequently,

connected miscellaneous petition is closed. There shall be no order as to costs.

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Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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