



WEB COPY



W.P.No.41035 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2025

CORAM:

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

W.P.No.41035 of 2025

W.M.P.Nos.45995 & 45996 of 2025

Dr.Rupa Gunaseelan
Professor and Director (i/c),
Bharathiar School of Management &
Entrepreneur Development,
Bharthiar University,
Coimbatore – 641 046.

...Petitioner

-Vs-

1. The Vice Chancellore,
Bharathiar University,
Coimbatore – 641 046.

2. The Registrar,
Bharathiar University,
Coimbatore – 641 046.

3. Dr.K.Malarmathi
Professor, Bharathiar School of Management &
Entrepreneur Development,
Bharthiar University,
Coimbatore – 641 046.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the entire records connected with the impugned order, passed by the second respondent proceedings No.E7/HoD/7332/2025/1, dated 22.10.2025 and quash the same.



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For Petitioner : Mr.S.N.Ravichandran

ORDER

This writ petition has been filed challenging the order dated 22.10.2025, passed by the second respondent thereby relieving the petitioner from the post of Director in-charge with immediate effect and handed over the charge to the third respondent.

2. The petitioner was selected and appointed as Reader in the Department of School of Management in the Bharathiar University. She joined in the said post on 18.01.2008. After the period of three years service as a Reader, she was promoted as Associate Professor on 18.01.2011. Thereafter, she was placed as Head in charge of the department of women's studies with effect from 01.07.2013. Later she was promoted to the post of Professor on 18.01.2014. The petitioner is the senior most professor in the University and she was placed as Professor and Director in-charge in the vacancy caused on account of superannuation of the earlier incumbent viz., Dr.K.Vivekanandan on 31.07.2018.

3. Subsequently, by an order dated 23.05.2020, the petitioner was placed as Dean of Faculty of Social Sciences with effect from



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28.06.2020 for a period of three years. Later, by an order dated 07.02.2024, the petitioner was posted as Registrar (in-charge) of the Bharathiar University by the Vice Chancellor's Committee. While being so, now the second respondent passed an order thereby relieving the petitioner from the post of Professor and Director (in-charge), Department of Bharathiar School of Management & Entrepreneur Development and directed her to hand over the charges to the third respondent herein with immediate effect. Aggrieved by the same, the petitioner filed the present Writ Petition.

4. The learned Counsel appearing for the petitioner submitted that the petitioner is eligible to be appointed as Vice Chancellor in terms of the Section 12(4) of the Bharathiar University Act (hereinafter referred to as "the Act"). Section 45 of the Act envisages that every department in the University shall have a Head who shall be a Professor or Director. Clause (3) of Section 45 of the Act contemplates that a person appointed as a Head of the Department shall hold the office for a period of three years. Therefore, the petitioner is eligible for re-appointment. Now a person who junior to the petitioner has been appointed as Head of the Department and the petitioner has been directed to hand over the charge of the post of Director to the third respondent.



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5. Heard the learned counsel appearing for the petitioner and perused the materials placed before this Court.

6. Though the learned counsel appearing for the petitioner vehemently contended that the petitioner is being the senior most person to hold the post of the Head of the Department, there is no provision or Rule that provides for reappointment. On perusal of the order dated 15.10.2018, the petitioner was given in-charge post of Director. Thereafter by an order dated 10.06.2020, the petitioner was placed as Dean, Faculty of Social Sciences with effect from 28.06.2020 for a period of three years or till attaining the age of 58 years, whichever is earlier confining the Rules and Regulations of the Bharathiar University. Therefore, the Head of the Department is a tenure post and she was appointed as Director in-charge and was placed as Dean for a period of three years. Thereafter, by an order dated 07.02.2024, the petitioner was placed as Registrar in-charge. However, she also held the post of Professor & Director in-charge. Now the third respondent has been nominated as Director in-charge.



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7. Section 45(1) of the Act says that each department of the University shall have a Head, who shall be a professor or Director and whose duties and functions and terms and conditions of the appointed shall be prescribed by the ordinances. Section 45(3) of the Act states that, a person appointed as Head of the Department shall hold office as such for a period of three years and shall be eligible for reappointment. Though the petitioner is eligible for re-appointment, nowhere it is stated that senior most person has to be appointed as Head of the Department. Proviso to Section 45(1) of the Act clearly says that if there is more than one professor in any Department, the Head of the Department shall be appointed in the manner prescribed by the ordinances. Further in a Department where there is no professor, an Assistant Professor or a Reader may be appointed as Head of the Department in the manner prescribed by the ordinances. Further, it shall be open to a Professor or Assistant Professor or Reader to decline the offer of appointment as Head of Department. Though the petitioner is a senior most Professor in her department, there is no bar to appoint the third respondent who is a junior to her. This Court finds no infirmity or illegality in the order passed by the second respondent and the Writ Petition is devoid of merits and is liable to be dismissed.



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8. Accordingly, the Writ Petition stands dismissed.

Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

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Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

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