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W.P.No.43480 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM:

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

W.P.No.43480 of 2025

and

W.M.P.Nos.48645 and 48646 of 2025

Dr.F.X.Lovelina Little Flower

... Petitioner

-Vs-

1. The Bharathiar University,
Represented By Its Registrar,
Coimbatore- 641 046.

2. Dr.R.Baskar

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the first respondent in his proceedings No.E7/HoD/7332/2025/2 dated 28.10.2025 appointing the second respondent as Head of the Department of Social Work in the first respondent University and to quash the same as being illegal unsustainable in law and for a consequential direction to permit the petitioner to continue as the Head of the Department of Social Work, Bharathiar University, Coimbatore being the Senior most Professor in the Department of



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Social Work in the first respondent University.

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For Petitioner	: M/s.N.Kavitha Rameshwar
For R1	: Mr.I.Calvin Jones for M/s Ajmal Associates
For R2	: Mr.R.Amardeep for M/s Tamizh Law Firm

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 28.10.2025, thereby appointing the second respondent as Head of the Department of Social Work in the first respondent University.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was initially appointed as Reader in Social Work in the Department of Sociology and Population Studies in the first respondent on 12.01.2008. Thereafter, she was designated as Associate Professor and



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subsequently promoted to the post of Professor with effect from 21.01.2014.

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Since she was the senior most Professor, she was appointed as Head of the Department with effect from 01.07.2015, as per Section 45 of the Bharathiar University Act, 1981 (herein after called as “the Act”). Now, the first respondent appointed the second respondent as Head of the Department in charge of Social Work and directed the petitioner to handover the charge to the second respondent.

4. The learned counsel for the petitioner submits that the petitioner is only a Professor in the Department of Social Work. But the second respondent is only an Associate Professor and he is junior to the petitioner. Therefore, the appointment of the second respondent as Head of the Department in charge is illegal and against the provisions of the Act.

5. She relied upon the Judgment of this Court in W.P.No.13416 of 2021



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dated 01.11.2022 and this Court held that the provisions under Section 45(1) of

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the Act is clear that when there are more than one Professor in any Department, the seniority shall be followed in the appointment of the Head of the Department, Dr.K.Srinivasan ought to have been continued as the Head of the Department (Physics) as he is the senior most among the Professors in the said Department.

6. It is relevant to extract the provisions under Section 45(1) of the Act as follows:-

“ 45. Terms and Conditions of Service of Heads of Departments:

(1) 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 appointments shall be as prescribed in the ordinances, provided that if there is more than one Professor in any Departments, the Head of the Departments shall be appointed in the manner prescribed by the ordinance:

Provided further that 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 ordinance.



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The same has been reiterated in the Statutes. As per the Ordinance issued by the University pursuant to the Act and Statutes.

I. Mode of Appointment:

Each Department of the University shall have a Head who shall be a Professor or Director. Provided that if there is more than one Professor in any department, the seniority shall be followed in the appointment of Head of the Department by the Vice Chancellor.

Provided further that in a Department where there is no Professor, the seniority shall be followed in the cadre of Reader in the appointment of Head of the Department by the Vice Chancellor.

It shall be open to a Professor or Reader to decline the offer of appointment as Head of the Department in which cases the next senior in position shall be considered for appointment or Head of the Department by the Vice-Chancellor.”

7. Thus, it is clear that the senior most Professor shall have to be appointed as Head of each Departments, provided whether there is no Professor, an Assistant Professor or a Reader may be appointed as Head of the Department.



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8. It is also relevant to extract the provisions under Section 45(3) of the Act as follows:-

“45(3) Term of Head of the Department- A person appointed as Head of the Department shall hold office as such for a period of three years and shall be eligible for re-appointment.”

It says about the term of Head of the Department. Accordingly, a person appointed as Head of the Department shall hold office as such for a period of three years and shall be eligible for re-appointment.

9. In the case of the petitioner, she was appointed as Head of the Department of Sociology and Population Studies on 01.07.2015 and she continued till the appointment of the second respondent viz., 28.10.2025. Therefore, she had continued as Head of the Department for more than ten years. Though the provision under Section 45(3) of the Act provides re-appointment, it cannot be endless. The tenure of the Head of the Department post shall be three years. Therefore, though the second respondent is an



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Associate Professor, he has been now appointed as Head of the Department.

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10. Further, there was a meeting with Registrars of all Universities under the aegis of Higher Education Department under the Chairmanship of the Secretary to Government, held on 15.05.2025. As per the minutes of the said meeting, the Secretary to Government instructed all the Registrars to all the Universities to identify those Heads of Departments in Universities who are serving as Head of the Department in the same Department for more than three years and to furnish the list to the Government. The Registrars were also directed to appoint the faculty in the post of Head of the Department on rotation basis for every three years.

11. In compliance of the direction issued by the Secretary to Government, the second respondent has been appointed as Head of the Department, since the



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petitioner had been continuing as Head of the Department of Sociology and Population Studies with effect from 01.07.2015 till 28.10.2025. That apart, the petitioner was relieved from the post of Head of the Department and the second respondent had taken charge and he is continuing as Head of the Department in the Department of Sociology and Population Studies in the first respondent.

12. Further, the Hon'ble Division Bench of this Court in ***W.P.No.5862 of 2024 dated 25.02.2025***, in the case of ***Prof.Dr.M.Srinivasan Vs The Chancellor of Universities, Raj Bhavan-Tamil Nadu, Guindy, Chennai – 600 022 and others***, wherein it was held as follows:-

“20. The rationale behind the impugned amendment is apparent that all the eligible senior most professors in a department in the University shall be provided with an opportunity to serve as Head of the Department. Undoubtedly, such rotational based designation of Head of the Department would not only enhance the efficiency level in a department, but would provide equal opportunity to all senior professors in a Department.

21. As per the pre-amended Statute, once a senior professor was designated as Head of the Department, he will hold the post till his retirement or promoted to higher rank.



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However, long-term holding of the post of Head of the Department by one professor is certainly not desirable, and will result in denied opportunity to other aspiring senior professors, who all are eligible to be designated as Head of the Department.”

13. Though the second respondent is an Associate Professor and there is no other person to hold the post of Professor, as per the proviso to Section 45(1) of the Act, the second respondent can be appointed as Head of the Department, since the petitioner was continuing as Head of the Department for more than ten years.

14. In view of the above, this Court finds no infirmity or illegality in the order passed by the first respondent dated 28.10.2025 and the writ petition is devoid of merits and is liable to be dismissed.

15. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petitions are closed. No costs.



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Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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To

The Registrar,
Bharathiar University,
Coimbatore 641 046.



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G.K.ILANTHIRAIYAN. J.

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