



W.P. No.48565/2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 11.12.2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.48565 OF 2025

AND

W.M.P. NOS. 54227, 54228 & 54229 OF 2025

1. Sakthinathan. S.P.
2. Vasantha. S
3. Vijayalakshmi. M.
4. Bhavani. S.
5. Rama. C.
6. Kumar. R
7. Kalaivani. V.
8. Periyasamy. P.
9. Thamizhchelvan. K.
10. Muthuvel. M.
11. Madhaiyan. V.
12. A.Puthalesli
13. Sumathi. N.A.
14. Vijayalakshmi. V.
15. Ramanathan. M.
16. Chitra. R.
17. Vijayageetha. A.
18. Jothibas. R.
19. Sudha. V.
20. Usharani. B.
21. Sangeetha. G.
22. Iswaryalakshmi. S.
23. C.Amarasuriyan
24. Dhanalakshmi. S.
25. Buvaaneswari. S.
26. Selvalakshmi. P.
27. Shanthi. T.



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28. Kavitha. S.K.
29. Devabalan. P.
30. Vimala Suji. J.J.
31. Priya. V.
32. Poomani. P.
33. Vasanthakumar. S.
34. K.Parivathini
35. Sundarajan. R.
36. Subathra. T.
37. Anand. A.
38. Raja. A. .. Petitioner

- Vs -

1. The State of Tamil Nadu
Rep. By its Principal Secretary to Govt.
Higher Education Department
Secretariat, Fort. St. George
Chennai 600 009.
2. The Commissioner of Collegiate Education
I.A.S.E. Campus
577, Anna Salai, Saidapet
Chennai 600 015.
3. The Chairman
Teacher Recruitment Board
Puratchi Thalaivar Dr. M.G.R. Centenary Building
3rd & 4th Floors, DPI Campus
College Road, Chennai 600 006. .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus to call for the records on the file of the 1st respondent made in G.O. Ms. No.230 & 231, Higher Education (F2) Department dated 06.10.2025 and the file of the 3rd



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respondent made in Notification No.04 of 2025 dated 16.10.2025 and quash the same especially clause 10 of the notification issued by the 3rd respondent (the Scheme of Examination) and consequently direct the respondents to prescribe syllabus for Compulsory Tamil test and conduct the Tamil qualifying test in MCQ method.

For Petitioners : Ms. G.Selvi George

For Respondents : Mr. M.R.Gokulakrishnan, AGP
for RR-1 & 2
Mr. C.Kathiravan, Std. Counsel
for R-3

ORDER

Aggrieved by the imposition of a qualifying paper in Tamil for the purpose of selection and appointment of Professors, through G.O. Ms. Nos.230 & 231, Higher Education Department dated 6.10.2025, the present writ petition has been filed by the petitioners, contending that such imposition seriously prejudices candidates of non-Tamil major subjects.

2. **W.M.P. No.54227 of 2025** has been filed by the petitioners seeking permission of the Court to permit the petitioners to file a single writ petition and considering the nature of relief sought for and the facts and circumstances surrounding the case, the miscellaneous petition is ordered



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permitting the petitioners to file a single writ petition upon payment of single court fee.

3. It is the case of the petitioners that they possess the necessary qualifications for appointment to the post of Assistant Professor in Government Arts and Science Colleges and they have been serving as Guest Lecturers/consolidated pay staff in Government Colleges and they have also completed NET/SET/SLET qualifications. It is further averred by the petitioners that they had participated in the earlier process of selection initiated by the 3rd respondent vide notification No.12/2019 dated 28.8.2019 and 4.10.2019, wherein certificate verification was completed and the petitioners were found eligible for the interview.

4. It is the further averment of the petitioners that due to the Election Code of Conduct during the 2021 elections, the earlier recruitment process was abruptly stopped. However, instead of resuming the said selection process after completion of election, the recruitment process was started afresh by issuance of Notification No.04/2025 dated 16.10.2025. Through the said recruitment process, on the basis of G.O. Ms. No.230 & 231 dated 6.10.2025, a new scheme of examination was formulated and fresh conditions



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for recruitment to the post of Assistant Professors was codified. Under the new scheme, a compulsory tamil qualifying paper was introduced for all candidates without providing any exemption even in respect of candidates who had studied Tamil as a major subject; for candidates who studied in Tamil Medium and also for candidates, who have already qualified in earlier recruitment processes.

5. It is the further averment of the petitioners that the petitioners have studied Tamil upto UG level and many hold Tamil medium degrees or Tamil major degrees, yet they are compelled to take a qualifying paper in Tamil. It is further averred that a condition has been imposed wherein Part-B of Paper-I and Paper-II will be evaluated only if a candidate secures 40% in the Tamil qualifying paper, which seriously prejudices candidates of non-Tamil major subjects.

6. It is the further averment of the petitioners that Paper-II is a descriptive paper covering broad general topics, which is a single-question, which disproportionately affects subject-specialized candidates and it is practically impossible to prepare within the short gap of about 20 days particularly for Guest Lecturers working 5 to 6 days in a week. It is therefore



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the averment of the petitioners that the action of the respondents in cancelling the earlier recruitment and introducing a new selection method is contrary to the settled law that rules of the game cannot be changed mid-process and in this regard, reliance is placed on the decision of the Apex Court in ***K.Manjusree – Vs – State of A.P. (2008 (3) SCC 512*** and ***Maharashtra SRTC – Vs – Rajendra Mandve (2001 (10) SCC 51)***. It is the further averment of the petitioners that as participants under the earlier notification, which was abruptly stopped mid-way, the petitioners have a vested right to have the recruitment completed under the old scheme.

7. It is the further averment of the petitioners that the introduction of compulsory Tamil test also renders the PSTM reservation meaningless, defeating the policy objective of providing opportunities to Tamil-medium candidates. Therefore, left with no other efficacious remedy, the present writ petition has been filed for the relief supra.

8. Learned counsel appearing for the petitioners submitted that once the notification was issued on the basis of which the petitioners have applied and certificate verification has also been completed, the mere stoppage of the said recruitment for the purpose of enforcing the Election Code of Conduct



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cannot act in detriment to the petitioners by means of the fresh notification prescribing a new set of guidelines with regard to examination. It is the submission of the learned counsel that such a act, acts not only against the interest of the petitioners, but against the earlier notification, which is nothing but changing the rules of the game after starting of the game, which is impermissible.

9. It is the further submission of the learned counsel that the new guidelines imposed has no proper rationale, as it does not have any element to further the merit of the petitioners and the imposition of such a condition is erroneous moreso, when the earlier notification did not impose any such stipulation.

10. In fine, it is the submission of the learned counsel that the change in the conditions post the Election Code of Conduct has caused grave prejudice to the petitioners and the same requires to be interfered with by this Court by allowing the present writ petition.

11. Per contra, learned standing counsel appearing for the 3rd respondent submits that only for the better imparting of education amongst



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the students, the new guidelines were contemplated and, therefore, the contention of the petitioners that it has no rationale is totally misconceived.

12. It is the further submission of the learned counsel that the framing of new guidelines with regard to education matters and recruitment of Professors for imparting education is within the realm of policy decision which falls within the purview of the Government and Courts shall not interfere with the policy decision of the State unless it is shown to be *ultra vires*. It is not the case of the petitioners that the said new set of guidelines is *ultra vires* and, therefore, the present writ petition does not merit consideration. Accordingly, he prays for dismissal of the present writ petition.

13. This Court gave its careful consideration to the submissions advanced by the learned counsel appearing on either side and perused the materials available on record.

14. The first and foremost contention advanced on behalf of the petitioners is that the respondents cannot change the rules of the recruitment in the midst of the recruitment process and the new guidelines imposed during the subsistence of the earlier recruitment process is grossly illegal.



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15. It is borne out by record that initially notification No.12/2019 dated 28.8.2019 and 4.10.2019 was issued by the 3rd respondent in which the process undertaken was taken till certificate verification and, thereafter, the said process came to a standstill due to the coming into force of the Election Code of Conduct in the year 2021. It is not the case of the petitioner that after the completion of the election process and lifting of the election code of conduct, life was given to the said notification and the recruitment process was taken up from that place.

16. It is borne out by record that after completion of the election and the lifting of the election code of conduct, fresh Notification No.4/2025 dated 16.10.2025 was issued pursuant to G.O. Ms. No.230 & 231 dated 6.10.2025 in and by which the completely new scheme of examination and imposition of fresh conditions for recruitment was made. Therefore, by no stretch, could the present recruitment process be termed to be a continuation of the process, which was undertaken in the year 2019; rather it is a fresh recruitment process, which was taken up in the year 2025, moreso, after the issuance of the aforesaid Government Orders, in and by which new scheme of examination and fresh conditions for recruitment, viz., compulsory Tamil



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qualifying paper was introduced. Therefore, even prior to the notification No.4/2025, a new scheme of examination and fresh conditions for recruitment was codified by the Government and the recruitment process itself being a fresh one, there is no change in the rules of recruitment in the midst of the recruitment process. Merely because the new conditions imposed and the new scheme of examination is detrimental to a set of persons, who had applied in the year 2019, the same cannot be said to be bad, unless it is shown that the said act was done in the midst of a recruitment process and the same not having been established, the contention in this regard deserves to be rejected.

17. Coming to the next issue of imposition of new scheme of examination and new conditions for recruitment codified through the aforesaid Government Orders, it is to be pointed out that a policy decision has been taken by the Government in and by which the Government has modified the examination pattern and has imposed fresh condition in and by which a compulsory Tamil qualifying paper has been introduced for all candidates. It is to be pointed out that it is the policy decision of the State to impose any conditions in the process of recruitment and unless the said conditions are not *ultra vires* or that the said conditions does not offend the equality enshrined



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in the Constitution, the Courts seldom interfere in the policy decision carved out by the Government. In the present case, a policy decision has been taken by the State for bringing in a new scheme of examination and imposition of fresh conditions and the same not offending the constitutional guarantees provided, the same cannot be interfered with by this Court.

18. Further, it is to be pointed out that granting of exemption is also within the realm of the State and when the Government has thought it fit enough not to grant exemption, keeping in mind that all the candidates should be treated equally, more concerned with the education of the next generation, this Court cannot interfere with the said decision as well.

Further, it is to be pointed out that there would be no difficulty for persons who had completed Tamil as major or studied in Tamil Medium to take up the said examination and it is only such of those persons, who are not qualified enough even in basic Tamil, who would feel the pressure and persons who had studied in the State would definitely have been imparted Tamil as second language and would not have any difficulty to take up the examination. Therefore, the imposition of examination in Tamil cannot be said to be in detriment as it is for the benefit of the next generation in



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imparting good education and with that avowed motive, if the Government had imposed such a condition, the same cannot be interfered with by this Court unless it is shown to be arbitrary, perverse and *ultra vires*. Therefore, the said contention also deserves to be negative.

19. For the reasons aforesaid, there are no merits in this writ petition and accordingly the same is dismissed. Consequently, W.M.P. Nos.54228 and 54229 of 2025 are closed. There shall be no order as to costs.

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Index : Yes / No

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1. Principal Secretary to Govt.
Higher Education Department
Secretariat, Fort. St. George
Chennai 600 009.
2. The Commissioner of Collegiate Education
I.A.S.E. Campus
577, Anna Salai, Saidapet
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M.DHANDAPANI, J.

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