



WEB COPY



W.P.No.49779 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

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1.Dr.M.Petric Jebaraj

2.Dr.S.Newton Raja

3.Dr.S.Melwin

4.T.Samraj

5.A.Pauldasan

6.J.Nesarajan

7.J.R.Beulah Thavamani Estherrani

8.M.Joseph Paramasivam

9.T.Giftson

10.R.Janet

... Petitioners

Vs.

1.The State of Tamil Nadu

rep. By its Secretary,
Department of Higher Education,
Fort St. George,
Chennai-600 009.

2.The Commissioner of Collegiate Education,
Directorate of Collegiate Education,
No.577, Anna Salai, Saidapet,
Chennai-600 015.



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3.The Joint Director of Collegiate Education,
Tiruchirappalli Region-620 023,
Tiruchirappalli District.

4.The Secretary,
Bishop Heber College (Autonomous),
Tiruchirappalli-620 017,
Tiruchirappalli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to release the teaching grant-in-aid to these writ petitioners from the date of 25.11.2019 to 31.10.2022 i.e., the date of their approval of appointment as Assistant Professors in respective department as per the UGC Norms in the fourth respondent college by the second respondent vide proceeding Na.Ak.No.25485/F3/2021 dated 12.05.2022 and consequential order of the third respondent vide proceeding in Na.Ka.No.1174/E1/2021-2 dated 01.09.2022 and disburse salary for all purpose including monetary benefits by considering proposal of the fourth respondent dated 12.08.2025, within a time frame as stipulated by this Court.

For Petitioners : Mr.P.Ganesan

For Respondent-1 & 2 : Mr.K.Tippusulthan, GA

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 3 to release the teaching grant-in-aid to the petitioners herein from the date of 25.11.2019 to 31.10.2022 i.e., from the date of their approval of



appointment as Assistant Professors in the respective departments as per the UGC Norms in the fourth respondent College by the second respondent vide proceeding Na.Ak.No.25485/F3/2021 dated 12.05.2022 and the consequential order of the third respondent vide proceeding in Na.Ka.No.1174/E1/2021-2 dated 01.09.2022 and to disburse salary for all purpose including monetary benefits by considering the proposal of the fourth respondent dated 12.08.2025, within a time frame as fixed by this Court.

2. Heard the learned counsels on either side. With the consent of both sides, the Writ Petition is taken up for hearing at the admission stage itself.

3. The brief facts of the case is as follows:

3.1. The petitioners are appointed as Assistant Professors in the Departments of Tamil, English, History, Botany, Zoology, Chemistry and Mathematics respectively in the fourth respondent college on 25.11.2019 for the vacancies that arouse in the sanctioned posts due to retirements. The proposal sent by the fourth respondent for disbursement of grant-in-aid towards their salary to the third respondent on 24.03.2021 was denied by the third respondent vide proceedings dated 19.04.2021 on the ground that no prior permission was obtained before filling up the posts. The fourth



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respondent filed W.P.(MD) No.13195 of 2021, wherein several identical issues have been relied upon by the fourth respondent college and taking note of all the referred decisions, this Court held that the college authorities shall not be insisted upon prior approval for appointment of the teaching staff in the minority institutions, which is squarely applicable to the present case on hand. Pursuant to the orders of the Hon'ble Supreme Court as well as this Court in various decisions in identical issues, the official respondents issued a circular dated 01.10.2021. Following the said decision, the second respondent gave permission for approval of 22 Assistant Professors of the fourth respondent college with effect from 25.11.2019, wherein the petitioners herein are among the said approvals. However, the third respondent permitted them to receive the salary only from 01.02.2023 and not from the date of their appointment i.e., from 25.11.2019. The petitioners made several representations to the respondents in this regard and also the fourth respondent sent a proposal dated 12.08.2025 to the second respondent to sanction grant-in-aid from the date of appointment i.e., from 25.11.2019. However, no orders has been passed.

4. Aggrieved by the same, the petitioners have come forward with the present Writ Petition.



5. The learned counsel for the petitioners drew the attention to various decisions of the Hon'ble Supreme Court as well as this Court reported in 2013 (7) MLJ 641 in WA.No.474 of 2013 dated 03.04.2013, WA No.463 of 2014 dated 02.04.2014 and WA.No.2096 & 2124 of 2019, where the Court has held that no prior approval for appointment of teaching staff in the minority institutions is required. He further submitted that the petitioners as well as the fourth respondent had made several representations as well as proposal dated 12.08.2025 respectively to the respondents but there was inaction on the part of the respondents to disburse the salary of the petitioners from the date of their appointment i.e., from 25.11.2019. Hence, he prayed this Court to pass appropriate orders.

6. Considering the facts and circumstances of the case and also in the light of the orders as stated supra, this Court directs the second respondent to consider the proposal sent by the fourth respondent dated 12.08.2025 and pass appropriate orders in accordance with law, if not already passed, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. There shall be no orders as to costs.



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8. WMP.No.55667 of 2025 filed by the petitioners to permit them to join together and file a single Writ Petition, is allowed subject to payment of separate court fee.

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Index:Yes/No

NCC :Yes/No

Order : Speaking/Non Speaking

DP



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Department of Higher Education,
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M.DHANDAPANI.J,

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