



WP(MD). No.21564 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11/08/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**WP (MD). No.21564 of 2025 and
WMP(MD) Nos.16672 and 16673 of 2025**

P.Ganesan

... Petitioner

Vs

1. The Principal Secretary to Government,
Higher Education Department,
Fort. St. George, Secretariat,
Chennai - 600009..

2. The Commissioner,
Department of Technical Education,
Chennai..

... Respondents

PRAYER :-Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, to call for the records pertaining to the Impugned Government Order in G.O.Ms. No. 125 Higher Education (11) Department dated 23.06.2025 on the file of the Respondent No.1 and to Consequential Impugned order in Seyalmurai Anai No. 2092/A1/2021-1 dated 18.07.2025 on the file of the Respondent No.2 and quash the same as illegal.



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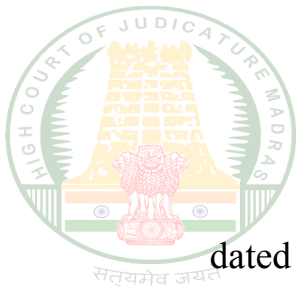
For Petitioner : Mr.T.Aswin Raja Simman
For Respondent : Mr.T.Amjad Khan
Government Advocate

ORDER

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed challenging the impugned order in G.O.Ms.No.125 Higher Education (11) Department dated 23.06.2025 on the file of the respondent No.1 and the consequential impugned order in Seyalmurai Anai No. 2092/A1/2021-1 dated 18.07.2025 on the file of the respondent No.2.

3. The grievance of the petitioner is that he is working as an Associate Professor by promotion vide G.O.Ms.No.123 dated 18.04.2023 on the basis of five internal journals published by the petitioner and the said order was challenged by one Associate Professor, namely, Krishnamoorthy in WP(MD) No.9945/2023 and this Court, vide order

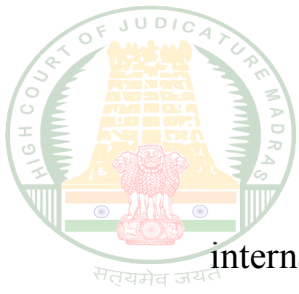


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dated 07.09.2023, granted interim stay and subsequently, the present impugned order came to be passed thereby cancelling the promotion granted to the petitioner by reducing him as Assistant Professor, which is under challenge.

4.The learned counsel for the petitioner would submit that even assuming that this Court granted interim stay in respect of the promotion granted in favour of the petitioner and till the writ petition is disposed of, the respondents have no authority to pass the present impugned order by cancelling the promotion of the petitioner and without providing an opportunity to the petitioner, cancelling the promotion is clear violation of principles of natural justice and hence, prays for interference.

5. The learned Government Advocate, on the other hand, would submit that the petitioner's promotion as Associate Professor was challenged by one Krishnamoorthy in WP(MD) No.9945/2023 and till date, interim order of stay granted is in force and it has not been vacated and in order to avoid contempt, the petitioner has filed this writ petition. The petitioner has completed Ph.D and however, has not made any



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international journals, thereby, Associate Professor was granted in favour of the petitioner was cancelled pursuant to the interim stay granted in the aforesaid writ petition and hence, it is not stated to be violation of principles of natural justice and unless the order of stay granted is vacated and unless the writ petition is disposed of, the case of the petitioner would not be considered.

6. I have considered the rival submissions and perused the materials available on record.

7. From the submissions made by both sides, it is seen that since the stay that has been granted in the connected writ petition filed by one Krishnamoorthy is in force and has not been vacated as on today, the respondents have passed the order impugned pursuant to the said interim order. Hence, the impugned order is not stated to be perverse. For all these reasons, the writ petition is dismissed, however, with liberty to the petitioner to work out his remedy in the manner known to law. It is made clear that the present impugned order is subject to the result of the pending writ petition and the petitioner is also at liberty to canvas all the



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points in the pending writ petition. No costs. Consequently connected
Miscellaneous Petitions are closed.

11.08.2025

NCC : Yes/No

Index : Yes/No

RR

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M.DHANDAPANI,J

RR

**ORDER
IN
WP(MD) No.21564 of 2025**

Date : 11/08/2025