

W.P.(MD) No.10930 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On : 17.07.2025

Pronounced On : 25.07.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) No.10930 of 2017

and

W.M.P.(MD)Nos.8363 & 8364 of 2017

Dr.V.Latha,
Assistant Professor,
Department of Sculpture,
The Tamil University,
Thanjavur – 10.

... Petitioner

Vs.

1. State of Tamil Nadu,
Rep. by its Secretary,
Department of Tamil Development and Information,
Secretariat,
Chennai – 9.
2. University Grants Commission
Rep. by its Secretary,
Bahadur Shah Zafar Marg,
New Delhi – 110 002.
3. The Vice Chancellor,
Tamil University,
Thanjavur – 10.
4. The Tamil University,
Rep. by its Registrar,
Thanjavur – 10.



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5. Dr.B.Sheela,
Professor,
Department of Sculpture,
Tamil University,
Thanjavur – 10.

... Respondents

PRAYER in W.P.:

To issue a writ of Declaration, to declare the Advertisement No. 01/2016 on the file of the fourth respondent dated 27.04.2017 in so far as educational qualification prescribed for the post of Professor in Department of Sculpture is concerned and the consequential appointment of the fifth respondent in the post of Professor in the Department of Sculpture as illegal and consequently for a direction, directing the fourth respondent to appoint the petitioner in the post of Professor in the Department of Sculpture at the fourth respondent University within the time period stipulated by this Court and pass any further or other orders as this Court may deem fit and proper under the circumstances of the case and thus render justice.

PRAYER in W.M.P.(MD)No.8363 of 2017 :

To pass an order of injunction restraining the fifth respondent from discharging the duty in the post of Professor in the Department of Sculpture at the fourth respondent University pending disposal of the Writ Petition.

PRAYER in W.M.P.(MD)No.8364 of 2017 :

To pass an order of interim injunction restraining the respondent No.4 from disbursing salary to the fifth respondent in the post of Professor Sculpture Department at the 4th respondent pending disposal of the writ petition.



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APPEARANCE OF PARTIES:

For Petitioner : Mr.A.R.Rithik Sushil
for M/s.Lajapathi Roy Associates

For Respondents : Mr.J.Ashok
Additional Government Pleader for R1-3

: Mr. Sachin Rahul
for M/s.Arulvadivel Associates for R4

: Mr.Raguvaran Gopalan for R5

J U D G M E N T

Heard

2. The petitioner has filed the present writ petition seeking a declaration that Advertisement No.01/2016 dated 27.04.2016 issued by the fourth respondent - Tamil University, Thanjavur, is illegal insofar as it prescribes the educational qualification for the post of Professor in the Department of Sculpture, and further challenges the consequential appointment of the fifth respondent to the said post. The petitioner also seeks a direction to appoint her to the post of Professor in the Department of Sculpture.



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3. The case of the petitioner is that she is an Assistant Professor in the Department of Sculpture and holds a Ph.D. in Sculpture. According to her, history is not the relevant subject for the appointment to and the educational qualification prescribed the post of Professor in Department of Sculpture is in violation of contrary to Clause 4.1.0 of the University Grants Commission (UGC) Regulations, 2010, which mandates a Ph.D. in the "concerned / allied / relevant discipline". It is contended that History is neither concerned nor allied to Sculpture and therefore, the fifth respondent, holding a Ph.D. in History, was ineligible. The petitioner further contends that she ought to have been appointed as she holds the precise subject qualification and is already in service in the Department.

4. The qualification prescribed in the impugned advertisement reads as follows: 1. Post Graduate Degree in History with not less than 55% marks. 2. Doctorate in History; and 3. Other qualifications prescribed by UGC. The petitioner, while challenging the notification for the post of Professor in Sculpture, draws a comparative reference to the qualification stipulated for the post of Professor in Theatre Arts/Drama in the very same advertisement. In that case, the essential qualification was



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expressly stated as Ph.D. in Theatre Arts/Drama. It is submitted that this differential treatment reveals an inconsistency: while a specific doctorate in the exact discipline is mandated for Theatre Arts/Drama, a general Ph.D. in History has been prescribed for the highly specialised post in Sculpture. According to the petitioner, this inconsistency amounts to a deliberate dilution of academic standards and is contrary to Clause 4.1.0 of the UGC Regulations, which mandates that the candidate must possess a doctoral qualification in the “concerned / allied / relevant” discipline. The petitioner argues that prescribing a Ph.D. in History, without requiring specific expertise in Sculpture, undermines the integrity of academic appointments in a specialised field.

5. The fourth respondent Tamil University has justified prescribing Ph.D. in History as the essential qualification for the post of Professor in the Department of Sculpture. It is stated that Sculpture, in the academic structure of the University, is not treated as a wholly distinct or isolated subject, but as a sub-discipline of History, which encompasses allied subjects such as Art History, Archaeology, and Material Culture. The University further relies on its own academic classification, as evidenced by the Tamil Prospectus placed on record which expressly recognizes



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Ph.D. in History as the main discipline, under which Sculpture is categorized as a specialized stream. The University also submits that this classification is consistent with Clause 4.1.0 of the UGC Regulations, 2010, which permits appointment of Professors with Ph.D. in the concerned / allied / relevant discipline, as interpreted by the subject experts and approved by the Selection Committee.

6. It is contended that the fifth respondent, holding a Ph.D. in History, had a strong research record and fulfilled the eligibility norms. As per the Academic Performance Assessment (APA) methodology, the fifth respondent scored, well above the minimum required score of 400. In contrast, the petitioner secured only 258 points, as per records submitted by the respondent University and thus failed to meet the eligibility criteria irrespective of her subject qualification.

7. The fifth respondent has also filed a counter affidavit stating that she possesses all required qualifications and was selected on merit by a duly constituted Selection Committee. She has publications, experience, and a doctoral degree relevant to the field. She further asserts that the petitioner, having participated in the selection process, is



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estopped from challenging the process post-facto.

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8. Clause 4.1.0 of the UGC Regulations, 2010, does not define "concerned / allied / relevant discipline" narrowly. It permits Universities, in the exercise of their academic autonomy, to define and approve disciplines, subject to transparency and absence of mala fides. The decision of Tamil University to treat History as the qualifying discipline is supported by the advertisement and cannot be said to be arbitrary. It is also not disputed that the fifth respondent had domain-specific publications and was academically suited for the Department of Sculpture.

9. The respondents relied on W.A.(MD)No. 1444 of 2018, where it has been held that once qualifications are clearly notified and not contemporaneously challenged, candidates are estopped from raising objections post-selection. The present case thus turns not on arbitrary exclusion, but on whether the prescription of Ph.D. in History falls within the bounds of UGC norms and academic autonomy.



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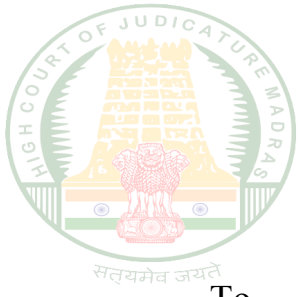
10. The petitioner, having applied pursuant to the advertisement with full knowledge of the eligibility norms, and having failed to secure the qualifying APA score, cannot now turn around and challenge the selection criteria itself. The principle of estoppel by conduct applies squarely.

11. In light of the above, this Court finds no illegality or arbitrariness either in the prescription of qualification or in the appointment of the fifth respondent. The petitioner's claim is based more on perceived entitlement rather than legal infirmity. The discretion exercised by the University in interpreting UGC norms is not shown to be irrational or violative of any binding regulation.

12. Accordingly, the writ petition is dismissed. There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

25.07.2025

Index: Yes / No
Speaking Order / Non-speaking Order
Neutral Citation : Yes / No
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To
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1. The Secretary,
State of Tamil Nadu,
Department of Tamil Development and Information,
Secretariat,
Chennai – 9.
2. University Grants Commission
Rep. by its Secretary,
Bahadur Shah Zafar Marg,
New Delhi – 110 002.
3. The Vice Chancellor,
Tamil University,
Thanjavur – 10.
4. The Tamil University,
Rep. by its Registrar,
Thanjavur – 10.
5. Dr.B.Sheela,
Professor,
Department of Sculpture,
Tamil University,
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DR. A.D. MARIA CLETE, J.

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Pre-delivery Judgment made in
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