



W.P.(MD).No.27815 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11-11-2025

CORAM :

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.27815 of 2025

and

WMP(MD).No. 21593 of 2025

S.Jacquilin Goldi

...Petitioner

Vs

1.The Government of Tamil nadu
Represented by the Principal Secretary,
Higher Education Department,
Fort St.George,
Chennai - 600 009.

2. The Government of Tamil Nadu
Represented by the Principal Secretary,
Finance Department,
Fort St.George,
Chennai - 600 009.

3.The Commissioner / Director of Collegiate Education
I.A.S.E. Campus,
577, Anna Salai,
Saidapet, Chennai - 600 015.

4.The Regional Joint Director of Collegiate Education
Tirunelveli Region,
Tirunelveli - 627 007.



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5.The Secretary - cum - Correspondent
Womens Christian College,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: 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 of the 3rd respondent in Na.Ka.No. 17055/F2/2023 dated 19.07.2024 and quash the same and direct the respondents 1 to 3 to approve and regularize the petitioners appointment as Assistant Professor in Botany in the 5th respondent College in the sanctioned vacancy caused due to retirement of Mrs. Santhakumari Retnadas with effect from 20.08.2001 to 09.08.2006, with all monetary, service and pensionary benefits and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : M/s.E. Martin Jaya Kumar

For Respondents : M/s.N.Satheesh Kumar,
Additional Government Pleader
For R1 to R4
M/s. D.Rengadeeshkumar for R5

ORDER

This writ petition is filed challenging the order in Na.Ka.No. 17055/F2/2023 dated 19.07.2024 and seeking consequential direction to the respondents 1 to 3 to approve and regularize the petitioners appointment as Assistant Professor in Botany in the 5th respondent



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College in the sanctioned vacancy caused due to retirement of Mrs. Santhakumari Retnadas with effect from 20.08.2001 to 09.08.2006, with all monetary, service and pensionary benefits.

2. Heard the submissions made on either side and perused the materials available on record.

3. The petitioner has been appointed as Assistant Professor in Botany in the 5th respondent college which was made pursuant to the retirement of the then incumbent who was approved only with effect from 10.08.2006. Even though, the petitioner was appointed on 20.08.2001, the reason for refusing to grant approval from the initial date of appointment had been for the reason that the Form VII-A agreement had been signed much prior to the date of appointment of the petitioner. It is not disputed that the 5th respondent college in which the petitioner had been appointed is a minority institution. The issue of requirement of Form-VII A in respect of minority institution is no longer *res integra*. A learned single Judge of this Court in W.P.(MD).No.4636 and 4640 of 2021 by order dated 30.06.2022 had held that the agreement between the college and the teacher in Form VII A cannot be applied to a minority



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college, in view of the exclusion of minority college from the purview of

Section 11 the Tamil Nadu Private Colleges (Regulation) Act, 1976.

When that be the position of law, the non-approval of the petitioner from the date of her initial appointment on premise that the Form VII-A filed with the respondents is invalid, when the requirement itself is not required to be fulfilled by a minority college. An invalid or even an improper form VII-A cannot be put against the petitioner to approve the appointment from the initial date of appointment.

4. In such view of the matter, this writ petition is allowed, the impugned order dated 19.07.2024 is quashed and as a consequence the respondents are directed to approve the appointment of the petitioner with effect from the date of her initial appointment and grant all monetary, service and pensionary benefits to the petitioner. The said exercise shall be carried out within a period of 12 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

11.11.2025

NCC:yes/no

Index:yes/no

Internet:yes/no

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K.KUMARESH BABU, J.

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