



W.P.(MD).No.29816 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.29816 of 2025

and

WMP(MD).Nos.23060, 23062 & 23065 of 2025

M.BALU

...Petitioner

Vs

The Registrar
Anna University
Chennai - 600025.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records in proceedings of the respondent in ref.No. 001/RC/UCE and RC/2023 dated 04.06.2025 and proceedings dated 22.08.2025 quash the same and consequently direct the respondent to give preference to the petitioner in the post of Assistant Professor in the Recruitment as per GO.MS.No.2406, educational department dated 31.10.1981 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. D.Geetha

For Respondents : M/s.Ajmal Khan,
Additional Advocate General.



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ORDER

This writ petition is filed challenging the proceedings of the respondent in ref.No.001/RC/UCE and RC/2023 dated 04.06.2025 and proceedings dated 22.08.2025 and seeking consequential direction to the respondent to give preference to the petitioner in the post of Assistant Professor in the Recruitment as per GO.MS.No.2406, educational department dated 31.10.1981.

2. The learned Counsel for the petitioner would submit that the petitioner had entered into service of the respondent University as a Lab Technician in the Department of Mechanical Engineering and he has been posted at Regional Campus of then Anna University, Madurai. After the amalgamation of Anna University, he has continued to work as a Lab Technician in the Regional Campus. She would further submit that a Government Order in G.O.Ms.No.2406, Education Department, dated 31.10.1981 had been passed to enable the appointment of non-teaching staff with requisite qualification in teaching category by giving preference in filling up the vacancies. The said Government order was also adopted by the Syndicate of the respondent University by its



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resolution dated 19.04.2000. Based upon which, several non-teaching staffs were appointed as teaching faculty. The respondent University had issued a notification invited applications to the post of Assistant Professor. Having fully qualified to the post of Assistant Professor, the petitioner had submitted his application pursuant to the said notification and also appeared in the written examination. However, no call letter was sent to the petitioner for interview. Hence, the petitioner has made a representation seeking to consider his claim under the preference category. By way of impugned order herein, the claim of the petitioner stood rejected by indicating reasons that the Government Order relied upon by the petitioner is not applicable to the respondent University. She would further contend that having adopted the said Government Order, the respondent cannot deny the preference. Hence, she prays this court to set aside the impugned order and seeking direction to the respondent to give preference to the petitioner for the post of Assistant Professor.

3. Countering his argument, the learned Additional Advocate General at the outset contend that even though the Government Order relied upon by the petitioner was originally adopted in the Syndicate



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Meeting held on 19.04.2000. However, the said resolution was recalled by the syndicate in its meeting held on 27.02.2004, based upon the recommendations of the 84th Finance Committee meeting held on 06.01.2024. The said committee resolved not to recommend the Government Order permitting the Anna University to appoint non-teaching staffs to teaching position and further resolved to revert such teaching staffs as non-teaching staff. Thereafter, there has been no recruitment for non-teaching staffs as teaching faculty. Therefore, the claim of the petitioner to call upon the Government Order as adopted in the syndicate as early as in the year 2000 has no legs to stand. He would further submit that even in the said Government Order, no preference has been given, the said Government Order has been issued only with regard to the appointment of non-teaching staff as teaching faculty and provided that if the aided institutions only willing they were permitted to appoint such non-teaching staffs. The said Government Order only enable the Director of Collegiate Education to approve such appointments. Therefore, he prays this Court to dismiss the writ petition.

4. I have considered the submissions made on either side and perused the materials available on record.



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5. The pillar of argument of the petitioner is that the University having adopted the Government Order in G.O.Ms.No.2406, Education Department dated 31.10.1981 in its resolution dated 19.04.2000 would have to give preference to the petitioner who had been working as a Lab Technician in the respondent University. It has been brought on record that by further resolution of the Finance Committee as approved by the Syndicate, the respondent University had resolved not to appoint any non-teaching staff as teaching faculty.

6. In view of the same, the claim of the petitioner on the basis of 19.04.2000 resolution cannot be entertained. Even in the notification, no preference has been given to any of the non-teaching faculty, for claiming any preference or they have been provided with any weightage marks. The petitioner had also not challenged the said notification and he had participated in the selection process. The Government Order relied upon by the petitioner also do not envisage any preference, it seems to be only an exemption to appoint a non-teaching staff as teaching faculty without following the normal recruitment process.



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7. For the aforesaid reasons, this Court do not find any merits in the writ petition. In fine, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

11.11.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn

To:

1. The Registrar
Anna University
Chennai - 600025.



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K.KUMARESH BABU, J.

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