



W.P.(MD).No.31579 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.31579 of 2025

and

WMP(MD).Nos.24754, 24757 & 24760 of 2025

1. S.ANTHUVAN BABU
2. S.SIBI
3. T.SURESH
4. S.RATHAKRISHNAN
5. G.MURUGANANTHAM
6. G.SENTHIL KUMAR
7. R.KARTHIKEYAN
8. K.ARAVINTHAN
9. D.CHINNARAJA
10. R.VIJAYALAKSHMI
11. D.ANTONY THAVAMARY
12. S.NAGA SUJATHA
13. RAJINI DEVI
14. K.MUTHULAKSHMI

...Petitioners

Vs

1. The Principal Secretary to Government
Higher Education Department
Government of Tamil Nadu
Secretariat
Chennai 600 009

2. The Director
The Director of Collegiate Education
EVK Sampath Maaligai
DPI Campus
Nunkampakkam, Chennai 600006



W.P.(MD).No.31579 of 2025

3. The Chairman
Teachers Recruitment Board
4th Floor EVK Sampath Maaligai
DPI Campus
Nunkampakkam

... 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 pertaining to the impugned Notification in NO.04/2025 dated 16.10.2025 and quash the same as illegal and arbitrary and consequently direct the respondents to complete the certificate verification interview pursuant to the 3rd respondent notification No.12 of 2019 dated 28.08.2019 and 04.10.2019 and complete the selection process in accordance with law.

For Petitioner : Mr.A.D.Ganeshamoorthy

For Respondents : Mr.Amjad Khan
Additional Advocate General
Assisted by
Mr.N.Satheesh Kumar,
Addl. Govt. Pleader for R1 & R2
Mr.T.Amjad Khan
Government Advocate for R3

ORDER

This writ petition is filed challenging the notification in NO. 04/2025 dated 16.10.2025 issued by the 3rd respondent and seeking consequential direction to the respondents to complete the certificate verification interview pursuant to the 3rd respondent notification No.12



W.P.(MD).No.31579 of 2025

of 2019 dated 28.08.2019 and 04.10.2019 and complete the selection process.

2. The petitioners before this court are working as lecturers in self-financing colleges who envisage to participate in the selection of the Assistant Professors in Government Arts and Science Colleges and Government Colleges of Education. It is the claim of the petitioner that the respondents had earlier issued a notification in the year 2019 in which they had all participated. However, the same had been cancelled under G.O.Ms.No.248, Higher Education Department dated 08.11.2022 and the learned Single Judge in principal bench had quashed the notification in part that with respect to 1146 posts of guests letcurers. He would further submits that the Divison Bench of this Court in W.P. (MD).No.8124 of 2024 etc batch cases has held that without completing the selection process of the year 2019, the posts notified in the year 2019 cannot be included in the present notification and also the government order prescribing the written test cannot be also sought to be applied to the 2019 notification.



W.P.(MD).No.31579 of 2025

3. The learned Counsel for the petitioner further relied upon the judgement of the Hon'ble Apex Court which has held that subsequent notification prescribing norms cannot be applied to a notification which had been issued earlier. He further submits that the rule of reservation as regards for SC categories had not been followed.

4. The learned Additional Advocate General appearing for the respondents on the other hand would submit that the G.O.Ms.No.248, which cancelled the notification had only be quashed with respect to 1146 posts of Assistant Professors on the writ petition filed by the guest lecturers, thereby protecting their right for absorption. As regard to other post notified in 2019 has been intact. Even in the further writ petition WP(MD).No.8127 of 2024 in G.O.Ms.No.248, had not been disturbed and therefore as of today, the 2019 notification stands cancelled. He further submits that the Divison Bench of this Court had only on the undertaking given by the learned Advocate General had permitted the Government to retain 1146 vacancy in the posts of Assistant Professor and proceed with the selection of other posts. Thereafter, the present notification has been issued. He further submits that the roster system had been followed as per the 200 roster and the petitioner even though



W.P.(MD).No.31579 of 2025

raised the same, had not produced any document to substantiate such violation. Therefore he prays to dismiss the writ petition.

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

6. As rightly pointed out by the learned Additional Advocate General neither in the judgement of this Court in W.P.No.(MD).No.3356 of 2021 dated 29.03.2021 and W.P.(MD).No.26321 to 26327 of 2022 dated 05.01.2023, the cancellation of 2019 notification had not been set in its entirety. Only 1146 posts of Assistant Professors had been directed not to be filled up and the Government has also conceded that the 1146 posts will not be filled up in future notifications and thereafter the Division Bench of this Court has also permitted the Government to fill up the said posts. In view of the same, this Court unable to accept the contention of the petitioner for cancellation of 2019 notification under G.O.Ms.No.248 had been set at naught.



W.P.(MD).No.31579 of 2025

7. The next contention of the learned Counsel for the petitioner is that the written examination envisaged under G.O.Ms.No.246 cannot be applied retrospectively to the 2019 notification would also have to fall as 2019 stands cancelled in part by G.O.Ms.No.248.

8. As regards to the claim with regard to the non following of roster, except for making bald allegation in the affidavit filed by the petitioner in the ground raised, there is no avement as to what was the last roster point that was filled and where from the roster should be followed.

9. In view of the same, this writ petition is dismissed. No order as to costs. Consequently connected miscellaneous petitions are closed.

06.11.2025

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



WEB COPY



W.P.(MD).No.31579 of 2025

To:

1. The Principal Secretary to Government
Higher Education Department
Government of Tamil Nadu
Secretariat
Chennai 600 009

2. The Director
The Director of Collegiate Education
EVK Sampath Maaligai
DPI Campus
Nunkampakkam, Chennai 600006

3. The Chairman
Teachers Recruitment Board
4th Floor EVK Sampath Maaligai
DPI Campus
Nunkampakkam



WEB COPY



W.P.(MD).No.31579 of 2025

K.KUMARESH BABU, J.

gvn

W.P.(MD).No.31579 of 2025

06.11.2025