



W.P.(MD) No.31564 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Order	Date of Pronouncing the Order
07.11.2025	19.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.31564 of 2025

and W.M.P.(MD) No.24738, 24739 & 24742 of 2025

1.M.Karuppasamy

2.V.Kasirjan

3.R.Thangadurai

... Petitioners

-VS-

1.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Higher Education Department,
Secretariat, St.George Fort, Chennai – 9.

2.The Director of Collegiate Education (FA),
9th Floor, E.V.K.Samath Maligai,
College Road, Chennai – 6.

3.The Secretary,
Teachers Recruitment Board,
3rd & 4th Floor, Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Nungambakkam,
Chennai – 6.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorari Calling for the records relating to the impugned Notification No.04/2025 dated 16.10.2025 issued by the 3rd respondent and quash the same as illegal in so far as it relates to 33 posts in the cadre of Assistant Professor of Colleges of Education is concerned and pass such further or other suitable order.

For Petitioners : Mr.H.Mohammed Imran

For Respondents : Mr.N.Satheesh Kumar for RR1 & 2
Additional Government Pleader

: Mr.T.Ajmal Khan for R3
Additional Advocate General
Assisted by
Mr.T.Amjad Khan
Government Advocate

ORDER

The present Writ Petition has been filed challenging the impugned Notification No.04/2025 dated 16.10.2025 issued by the 3rd respondent and quash the same as illegal in so far as it relates to 33 posts in the cadre of Assistant Professor of Colleges of Education is concerned.

2. Heard Mr.H.Mohammed Imran, the learned counsel appearing on behalf



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of the petitioners, Mr.N.Satheesh Kumar, the learned Additional Government Pleader appearing on behalf of the first and second respondents and Mr.M.Ajmal Khan, learned Additional Advocate General, assisted by Mr.T.Amjad Khan, learned Government Advocate appearing on behalf of the third respondent.

3. Mr.H.Mohammed Imran, the learned counsel appearing for the petitioners would submit that the third respondent had issued a notification in the year 2019 inviting applications from the eligible candidates for direct recruitment in the post of Assistant Professors in Tamil Nadu College Education Services for Government Arts and Science Colleges and Colleges of Education, 2331 vacancies were notified under the said notification. The petitioners have also appeared for certificate verification and they were short listed.

4. When that being so, under the Government order in G.O.(Ms).No.246, Higher Education dated 08.11.2022, the existing method of awarding weightage marks for filling up the post of Assistant Professors was dispensed with resorting to a selection process through written examination. By even dated, an order in



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G.O.(Ms).No.248, a direction was also issued to the third respondent to cancel the notification for direct recruitment and issue a fresh notification. Challenging the same, the petitioners had also preferred a Writ Petition in W.P.(MD).No.26468 of 2022 and the same is pending before this Court. He would submit that apart from the Government order in G.O.(Ms).No.248, the Government had also issued an order in G.O.(Ms).No.247 even dated had superseding the Government order in G.O.(Ms).No.56 with respect to Guest Lecturers by envisaging that such Guest Lecturers can also participate in the written competitive examination and they would be awarded a weightage marks of 2 for each academic year of teaching experience subject to maximum of 15 marks as a one time measure.

5. The said Guest Lecturers had approached this Court in a batch of cases in W.P.(MD).Nos.1971 of 2023 and etc., batch and this Court by its order dated 02.04.2024 had quashed the Government order in G.O.(Ms).No.248, wherein permission was given to the third respondent to conduct the selection process for 4,000 posts of Assistant Professors by holding that the norms of the selection cannot be altered after the commencement of selection process and the Rules



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prescribing such qualification so amended during the selection process could only be applied prospectively. As the selection process of the petitioners have also been initiated as early as in the year 2019, by applying the same principle, the present notification issued by the third respondent would have to be set aside.

6. In so far as the 33 posts in the cadre of Assistant Professors of Colleges of Education is concerned, necessary orders to be passed by this Court. In support of his contention, he had also relied upon the judgment of the Hon'ble Apex Court reported in **2025 (2) SCC 1** and also in the judgment reported in **2024 SCC Online SC 3664**.

7. Mr.M.Ajmal Khan, learned Additional Advocate General, appearing on behalf of the third respondent would submit that the Writ Petition filed by the petitioners is wholly misconceived. He would submit that the notification issued in the year 2019 was directed to be cancelled by the Government by proceedings dated 02.09.2022 by the second respondent . He would submit that the said communication had not been challenged by anyone.



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8. That apart, he would submit that the recruitment process for Assistant Professors could only be made as per the UGC norms. He would further submit that the reliance placed upon by the petitioner on a judgment of the learned Single Judge is also a subject matter of Intra-Court Appeal in W.A.No.1199 of 2024 and etc., batch in which by way of an interim order on 26.06.2025 excepting the 1146 posts originally earmarked for absorption for Guest Lecturer earlier alone was directed to be kept vacant and the selection process for the remaining vacancies were permitted to be undertaken.

9. He would submit that in the said batch of Writ Petitions Guest Lecturers who are working in the Education Department were sought to be regularised by issuance of the Government order in G.O.(Ms).No.56, Higher Education Department, dated 21.03.2020. In view of the subsequent judgment of the Hon'ble Apex Court made in SLP.Civil No.4351 of 2016 as a one time measure, the said Guest Lecturers were also required to participate in the written examination to be conducted based upon the Government order in G.O.(Ms).No.246, dated



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08.11.2022. However, they have been given weightage up to maximum of 15 marks for the services rendered by them in the Government colleges as a one time measure.

10. It is those Guest Lecturers who had filed the Writ Petition, wherein the learned Judge had quashed the Government order in G.O.(Ms).No.248, dated 08.11.2022 only in so far as 1146 vacancies alone are concerned, with a direction to continue the process to fill up the said 1146 posts as per the Government order in G.O.(Ms).No.56, dated 21.03.2020. Hence, he would submit that the said Writ Petition cannot in any manner support the claim of the petitioner as the learned Single Judge had carved out these 1146 vacancies from out of the 4000 vacancies notified under G.O.(Ms).No.248. Hence, he prays this Court to dismiss the Writ Petition.

11. Mr.N.Satheesh Kumar, the learned Additional Government Pleader appearing on behalf of the first and second respondents adopting the arguments made by the learned Additional Advocate General would submit that the



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petitioners had only challenged the notification without challenging the Government orders in G.O.(Ms).No.246 & 248 dated 08.11.2022 and also the decision taken by the second respondent to cancel the notification of the year 2019. When the notifications of the year 2019 had already been cancelled, the claim of the petitioners in the present Writ Petition to cancel the notification in respect of 33 posts alone is wholly a misnomer. He would further submit that the petitioners cannot claim equity with the Writ Petitioners in W.P.No.1971 of 2023 as the Writ Petitioners in those batch of cases were working as Guest Lecturers and who were entitled for absorption as Assistant Professors pursuant to the benefit given to them under G.O.(Ms).No.56 Higher Education (F2) Department. Therefore, he would also pray this Court to dismiss the Writ Petition.

12. I have considered the submissions made by the learned counsels appearing on behalf of their respective parties and perused the materials available on record.

13. It is not disputed that the third respondent had issued a notification in the year 2019 inviting applications for the post of Assistant Professors. It is also



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not disputed that the selection process pursuant to the said notification had not come to its logical conclusion. In the interregnum, the Government by issuance of G.O.(Ms).No.246 amended the method of recruitment of Assistant Professors by requiring them to undergo a written examination for the purpose of selection. The same is under challenge by the petitioners.

14. It is to be noted that by a subsequent communication dated 01.09.2022, the second respondent had called the third respondent to cancel the notification and had also cancelled the notification and thereafter, the present impugned notification has been issued also indicating that the persons who have already applied under the notification of the year 2019 will have to apply again afresh, but were exempted from payment of online application registration fees. As rightly pointed out by the learned Additional Advocate General as well as the Additional Government Pleader, the petitioners have not challenged the order of cancellation issued by the second respondent dated 01.09.2022 or the notice of cancellation issued by the third respondent.



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15. A perusal of the judgment of the learned Single Judge relied upon by the petitioners would indicate that the same had been filed by the Guest Lecturers who had the benefit of absorption under G.O.(Ms).No.56, Higher Education Department, dated 21.03.2020. In that context, they had approached this Court and the learned Single Judge after holding that the norms of selection cannot be altered after commencement of selection process and that the notification in G.O. (Ms).No.248, in so far as it also included 1146 vacancies which were originally earmarked for absorption of the eligible Guest Lecturers, had quashed the same only in respect of the said vacancies with a further direction to the Government to continue the process of selection to fill up 1146 posts of Guest Lecturers earmarked for regularisation/ absorption of the Guest Lecturers and therefore, as rightly pointed out by the learned counsel appearing for respondents, the same cannot extend any benefit to the petitioners in the present case.

16. For the aforesaid reasons, I do not find any reasons in the Writ Petition and accordingly, the same stands dismissed. However, there shall be no orders as to costs. Consequently, connected miscellaneous petitions are also closed.

19.12.2025



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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

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for The State of Tamil Nadu,
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Secretariat, St.George Fort, Chennai – 9.
- 2.The Director of Collegiate Education (FA),
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K.KUMARESH BABU, J.

Gba

PRE-DELIVERY ORDER
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