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W.P.No.2698 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2698 of 2024

And

W.M.P.Nos.2978 and 2980 of 2024

Dr.R.Chandrasekaran

... Petitioner

Vs.

- 1 THE STATE OF TAMIL NADU
REP. BY ITS SECRETARY,
DEPARTMENT OF HIGHER EDUCATION,
SECRETARIAT,
CHENNAI – 600 009.
- 2 THE SECRETARY TO THE GOVERNMENT
ADI DRAVIDAR AND TRIBAL WELFARE DEPARTMENT,
FORT ST.GEORGE,
SECRETARIAT,
CHENNAI – 600 009.
- 3 THE VICE CHANCELLOR,
TAMIL NADU AGRICULTURAL UNIVERSITY
COIMBATORE – 641 003.
- 4 THE REGISTRAR
TAMIL NADU AGRICULTURAL UNIVERSITY
COIMBATORE – 641 003.
- 5 THE HIGH LEVEL COMMITTEE RELATING TO BACKLOG VACANCIES,
DT 31.07.2020
REP. BY ITS CHAIRMAN DR.M.ANANTHAN, PROFESSOR,
TAMIL NADU AGRICULTURAL COLLEGE AND RESEARCH INSTITUTE,
MADURAI – 641 003.



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6 THE HIGH LEVEL COMMITTEE RELATING TO BACKLOG VACANCIES,
DT 18.08.2022

REP. BY ITS CHAIRMAN DR.P.BALASUBRAMANIAM
DIRECTOR, OPEN AND DISTANCE LEARNING,
TAMIL NADU AGRICULTURAL UNIVERSITY,
COIMBATORE – 641 003.

7 THE RTI OFFICER,
TAMIL NADU AGRICULTURAL UNIVERSITY,
COIMBATORE – 641 003.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records in connection with the impugned committee report issued by the sixth respondent bearing reference No.R3/15102/2022, dated 18.08.2022, and quash the same and further direct the 1st and 2nd respondents herein to constitute a independent committee to identify the backlog vacancies in accordance with the G.O.Ms.No.91, dated 28.11.2001 in all category of posts, wherever reservation is applicable.

For Petitioner : Mr.K.Krishnamoorthy
For Respondents : Mr.M.R.Gokul Krishnan for R1, R2
Additional Government Pleader
Mr.R.Sivakumar for R3, R4, R7
for M/s.S.Manikandan
R5, R6 – No Appearance

ORDER

The petitioner has filed this writ petition seeking issuance of



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Writ of Certiorarified Mandamus calling for the records in connection with the committee report issued by the sixth respondent bearing reference No.R3/15102/2022, dated 18.08.2022, and quash the same and further direct the respondents 1 and 2 to constitute an independent committee to identify the backlog vacancies in accordance with the G.O.Ms.No.91, dated 28.11.2001 in all category of posts, wherever reservation is applicable.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the Founder of Tamil Nadu Agricultural University SC/ST Employees' Welfare Association and Professor (Agronomy) in the Department of Crop Management, Agricultural College and Research Institute. As per the information furnished under the Right to Information Act, there were 67 backlog vacancies. Subsequently, the fourth respondent without any approval from the Court, *suo motu* formed a committee, namely, the fifth respondent, in the year 2020 and a report was submitted that the backlog vacancies were 54. Thereafter the sixth respondent committee was constituted on 18.08.2022, and submitted the impugned report, dated 26.08.2022 stating that backlog vacancies for SC/ST are 6. Such report dated



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26.08.2022 is contrary to Articles 16(4-A), 16(4-B) and 335, Part XVI of the Constitution of India.

3.The learned counsel appearing for the petitioner further submitted that this Court may issue direction to the third respondent to form independent expert committee to find out the backlog vacancies for SC/ST within a reasonable time frame.

4.The learned counsel appearing for the respondents 3, 4 and 7 submitted that earlier for the very same backlog vacancies, the very same petitioner filed W.P.No.23373 of 2008 and the said writ petition was disposed on 23.12.2009, as against which, the very same petitioner filed W.A.No.1946 of 2009 and the Hon'ble Division Bench of this Court vide judgment dated 31.03.2010 confirmed the order passed by the learned Single Judge and the very same issue is again raised by the petitioner. The learned counsel further submitted that writ petition as against the expert opinion is not sustainable and in order to prove the same, there is no contra evidence available in the hands of the petitioner. Without any contra evidence, the petitioner simply interfering with the administration of the third responsible is not sustainable one.



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5. Heard the arguments advanced on either side and perused the materials available on record.

6. Perusal of records reveal that earlier, the very same petitioner filed W.P.No.23373 of 2008 seeking issuance of Certiorarified Mandamus calling for the records relating to the impugned notifications R3/1/2008 and R3/2/2008 dated 10.09.2008 issued by the first respondent therein and quash the same and directing the first respondent to calculate the exact number of backlog vacancies from the year 1971 to till date and fill it up before filling the regular fresh vacancies based up on the representation of the Association dated 30.06.2008, 24.08.2008 and 15.09.2008 and this Court disposed of the said writ petition on 23.12.2009 and observed as follows:

"9. In the light of the above factual position explaining the number of backlog vacancies as well as the total number of Assistant Professors post falling vacant in the University from 1988, I am satisfied that in the cadre of Assistant Professor post the University is maintaining communal reservation. If the petitioner is still aggrieved



that there is any violation in the reservation policy in any other cadre, it is open to the petitioner association to make representation before the first respondent and the first respondent is directed to consider the same in accordance with law before filling up the future vacancies.”

7.Perusal of records further disclose that aggrieved by the order of this Court dated 23.12.2009 in W.P.No.23373 of 2008, the very same petitioner filed W.A.No.1946 of 2009 and the Hon’ble Division Bench of this Court vide judgment dated 31.03.2010 observed as follows:

“.....We have given our reasons, in the aforesaid paragraphs, as to why we do not agree. We reiterate them as follows:-

(a) We confirm the finding of the learned single Judge as regards the University following the roster.

(b) There has been no irregularity in the notification; sufficient publicity has been given and it has also been published in papers.

(c) Considering the category of persons who are applying, instructions on the website given in addition to the publications cannot be said to be irregular.



(d) *The allegations that the constitutional requirement has not been fulfilled are very vague and no concrete instances are cited.*

(e) *In the absence of the appointed persons, we cannot pass orders adverse to their interest."*

8.From the above, it is clear that the very same petitioner has raised very same issue before this Court and the same has already been considered by this Court and hence, the petitioner filing this writ petition again for the very same issue is not sustainable one. Further, writ petition as against the expert opinion is not sustainable and without any contra evidence, the petitioner is simply interfering with the administration of the third respondent, which is not sustainable one.

9.The writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

24.02.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



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