



WEB COPY

WP No. 2884 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 2884 of 2026

1. Dr.M.Kirane Kumar
S/o.S.Maharajan,
K.Muthuveeran Patti,
Kalluthu (P.O),
Usilampatti (TK),
Madurai District.
2. Dr.S.Judewin Paul
S/o.P.Selvin Paul Raj,
No.304/19b, Pauls Denn,
Eastoff Street, Nagercoil (P.O)
Kanyakumari District- 629 001.

..Petitioner(s)

Vs

1. The Government of Tamil Nadu
Rep by the Principal Secretary,
Higher Education Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Collegiate Education
I.A.S.E. Campus,
577, Anna Salai,
Saidapet, Chennai- 600 015.



3. The Regional Joint Director of Collegiate
Education
Madurai Region,
Madurai.

4. The Secretary
Dr.Zakir Husain College,
Illayangudi,
Sivagangai District.

..Respondent(s)

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to approve the appointment of the petitioners namely 1.Dr.M.Kirane Kumar as Assistant Professor in Economics and 2. Dr. S.Judewin Paul as Assistant Professor in English, made by the petitioner College w.e.f 01.09.2025 in the sanctioned Retirement vacancies and to disburse the salary and arrears of salary and all other benefits with effect from their date of appointment.

For Petitioner(s): Mr. E. Martin Jaya Kumar

For Respondent(s): Mr. M.R.Gokul Krishnan
Additional Government Pleader for R1 to R3

ORDER

The Writ Petition has been filed seeking a direction to the respondents 1 to 3 to approve the appointment of the petitioners namely 1.Dr.M.Kirane Kumar as Assistant Professor in Economics and 2.Dr. S.Judewin Paul as Assistant Professor in English, made by the petitioner college w.e.f



01.09.2025 in the sanctioned Retirement vacancies and to disburse the salary and arrears of salary and all other benefits with effect from their date of appointment.

2.The case of the petitioners is that the 4th respondent College is a Minority Aided Institution, established in the year 1970 and it was sanctioned 46 teaching posts by the Government vide proceedings dated 28.10.1999. Out of the sanctioned strength, two posts fell vacant due to the retirement of Assistant Professors - one post in Economics and one post in English. There is no provision under the Tamil Nadu Private Colleges (Regulation) Act, 1976 or Rules, 1976 to obtain prior permission from the Director of Collegiate Education for filling up vacant sanctioned posts. This legal position has been clearly settled by the Hon'ble High Court in P.Ravichandran vs. State of Tamil Nadu (2013 (7) MLJ 641) and affirmed by the Hon'ble Supreme Court in SLP No.887 of 2015 dated 29.01.2019. Accordingly, the Government also issued a circular dated 01.10.2021 directing authorities not to insist upon prior permission for approval of appointments in sanctioned posts.

2.1.In compliance with the statutory rules and UGC norms, the 4th respondent College conducted a proper recruitment process by issuing advertisements in leading newspapers, constituting a duly formed Selection Committee, and selecting eligible candidates. Accordingly, the petitioners were



appointed on 25.08.2025 with effect from 01.09.2025 against sanctioned retirement vacancies. The educational qualifications of the petitioners were duly approved by the University on 02.12.2025. Thereafter, the College forwarded proposals for approval of appointment to the 3rd respondent on 05.12.2025, apart from that the petitioners have also sent a representation dated 15.12.2025 to the respondents. However, the respondent authorities have failed to consider and approve the same till date. Hence the present writ petition has been filed.

3.The learned counsel appearing for the petitioners would submit that it would suffice, if a direction is issued to the respondents to consider the petitioners' representation dated 15.12.2025 , within a reasonable time to be fixed by this Court.

4.Considering the limited request made by the learned counsel for the petitioners and without expressing any opinion on the merits of the case, this Court, directs the respondents to consider the petitioners' representation dated 15.12.2025 and to pass appropriate orders on merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order.



5. With the above directions, this writ petition stands disposed of. No costs.

WEB COPY

29-01-2026

Uma

(2/2)

To

1. The Principal Secretary,
Higher Education Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Collegiate Education
I.A.S.E. Campus,
577, Anna Salai,
Saidapet, Chennai- 600 015.
3. The Regional Joint Director of Collegiate
Education
Madurai Region,
Madurai.



WEB COPY

WP No. 2884 of 2



M.DHANDAPANI, J.

Uma

WP No. 2884 of 2026

(2/2)

29-01-2026