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WP No. 11150 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 11150 of 2026

S.Balapajany,
S/o.G.Sandrasekaran,
No.47, Mariamman Koil street, Aranganur,
Bahoor (via), Puducherry - 607 402.

..Petitioner

Vs

1. Pondicherry University,
Rep. by its Vice Chancellor
Puducherry.
2. The Registrar,
Pondicherry University
Puducherry.
3. Dr.Pavithra,
Assistant Professor
School of Performing Arts
Pondicherry University
Puducherry.
4. Dr.Priyanka,
Assistant Professor
School of Performing Arts,
Pondicherry University
Puducherry.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, declaring the appointment of 3rd and 4th respondents as Assistant Professors in the Department of Performing Arts in pursuance to the notification bearing Ref.No.Advt.No.PU/RC/2019/34 dated



05.08.2019 as illegal and arbitrary and consequently direct the 1st respondent University to conduct fresh selection to the posts of Assistant Professor and Associate Professor in the Department of Performing Arts by constituting a duly qualified Selection Committee strictly in accordance with UGC Regulations, with subject experts in Drama and Theatre Arts.

For Petitioner: Mr.R.Saravanan

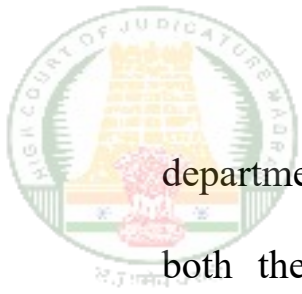
For Respondents: Mr.M.Ravi
Standing Counsel for R1 & R2

ORDER

The above writ petition has been filed for the following relief :

“ To issue a Writ of Declaration, declaring the appointment of 3rd and 4th respondents as Assistant Professors in the Department of Performing Arts in pursuance to the notification bearing Ref.No.Advt.No.PU/RC/2019/34 dated 05.08.2019 as illegal and arbitrary and consequently direct the 1st respondent University to conduct fresh selection to the posts of Assistant Professor and Associate Professor in the Department of Performing Arts by constituting a duly qualified Selection Committee strictly in accordance with UGC Regulations, with subject experts in Drama and Theatre Arts”.

2. The case of the petitioner is that the 1st respondent University had issued the impugned notification dated 05.08.2019 for recruitment to the post of Assistant Professors and Associate Professors for various



departments. According to him, he is fully qualified to be appointed in both the posts in the Department of Performing Arts under the 1st respondent. Though the said notification of the 1st respondent calls for recruitment of 67 posts in the various Department, however, it called for 1 post of Assistant Professors for OBC category and 2 posts of Associate Professors (one for OBC and other for UR) in the Department of Performing Arts.

3. The petitioner belonged to the Schedule Caste Community. The petitioner would submit that the 1st respondent while implementing the reservation points, have failed to take into consideration that not a single post of Assistant Professor in the Department of Performing Arts, is notified for Schedule Caste category. Aggrieved by the same, the petitioner had challenged the said notification in W.P.No.29100 of 2019 and the same is pending. Thereafter, the respondent University did not proceed with the recruitment.

4. Be that as it may, in June 2023, the respondent proceeded with the fresh selection and scheduled interview for the posts of Assistant Professor



and Associate Professors in Drama and Theatre Arts, pursuant to the UGC Regulations 2000, by constituting a Selection Committee. The 3rd and 4th respondents have been selected for the post of Assistant Professor, which according to the petitioner, made in excess of the notified vacancies, is per se illegal and unconstitutional. The petitioner also pleads that there were irregularities in the constitution of the Selection Committee and therefore the selection process conducted by unqualified selection committee is erroneous. The grave error in selection process came to his knowledge only in 2025, therefore, challenging the same, the petitioner is before this Court with the above prayer.

5. Heard the learned counsel on either side and also perused the materials placed before this Court.

6. A perusal of the facts would show that the petitioner had already challenged the very same notification of the 1st respondent-University dated 05.08.2019, in W.P.No.29100 of 2019. Having challenged the said notification, the petitioner has now filed the present writ petition including the relief of declaration to declare that the appointment of 3rd and 4th respondents herein as Assistant Professors, is illegal and arbitrary on the basis of notification dated



05.08.2019, which is the subject matter of W.P.No.29100 of 2019.

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7. A reading of the affidavit filed in support of this writ petition would clearly show that as early as in June 2023, the petitioner was very much aware about the appointment of respondents 3 and 4, however, having not challenged the same by including the relief in the earlier writ, the present writ petition has been filed only with an intent to fill up the lacunae. Therefore, the petitioner cannot be permitted to misuse the jurisdiction of this Court and consequently, the writ petition is dismissed. No costs.

25-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DS

To:

1. Pondicherry University,
Rep. by its Vice Chancellor
Puducherry.
2. The Registrar,
Pondicherry University
Puducherry.



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P.T.ASHA, J.

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