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W.P.No.8867 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.8867 of 2024

And

W.M.P.Nos.9870 and 9872 of 2024

Dr.K.Pushpam

... Petitioner

Vs.

1 THE SECRETARY,
DEPARTMENT OF LAW,
SECRETARIAT, GOVERNMENT OF TAMIL NADU,
FORT ST.GEORGE,
CHENNAI – 600 009.

2 THE TAMIL NADU DR.AMBEDKAR LAW UNIVERSITY,
REP. BY ITS REGISTRAR,
POOMPOZHIL NO.5 DR.D.G.S.DHINAKARAN SALAI,
CHENNAI – 600 028.

3 V.GAJENDRAN

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records from the second respondents (i.e. The Registrar, The Tamil Nadu Dr.Ambedkar Law University) relating to the list of selected candidates for the post of Assistant Professors in Sociology published vide proceedings relating to the impugned list of selected candidates dated 19.12.2023 and



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quash the same in so far as is declares the third respondent who was initially rejected/ ineligible whereas selected for the post of Assistant Professor in Sociology in General Turn as illegal, arbitrary, discriminative, unconstitutional and without jurisdiction and consequently direct the second respondent to appoint the petitioner for the post of Assistant Professor in Sociology in the second respondent University with effect from 19.12.2023 with pay and salary benefits, service and all other attendant benefits which the petitioner would have been given/ paid and her name has to be included/ published in the selection list of candidates dated 19.12.2023 by the second respondent.

For Petitioner : Mr.G.Thyagarajan

For Respondents : Mr.P.Balathandayutham for R1
Special Government Pleader
Mr.Arun Kumar Rajan for R2
Mr.Suresh for R3.

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records from the second respondent (i.e. The Registrar, The Tamil Nadu Dr.Ambedkar Law University) relating to the list of selected candidates for the post of Assistant Professors in Sociology published vide proceedings relating to the list of selected candidates dated 19.12.2023 and quash the same

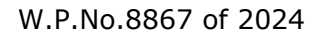


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in so far as is declares the third respondent who was initially rejected/ ineligible whereas selected for the post of Assistant Professor in Sociology in General Turn as illegal, arbitrary, discriminative, unconstitutional and without jurisdiction and consequently direct the second respondent to appoint the petitioner for the post of Assistant Professor in Sociology in the second respondent University with effect from 19.12.2023 with pay and salary benefits, service and all other attendant benefits which the petitioner would have been given/ paid and her name has to be included/ published in the selection list of candidates dated 19.12.2023 by the second respondent.

2.The learned counsel appearing for the petitioner submitted that the petitioner studied B.A.Rural Industries and Management with Gold Medal and M.A.Sociology with Gold Medal in Gandhigram Rural University, Dindigul. Subsequently the petitioner did Master of Philosophy in the same University. The petitioner is qualified with UGC NET – JRF with UGC Fellowship and have also done Ph.D. in Sociology in the said University and have completed Post Doctorate (D.Litt.) with ICSSR Fellowship in Gandhigram Rural University.



4. The learned counsel appearing for the petitioner further stated that the petitioner submitted her application for the post of Assistant Professor in Sociology (Inter Disciplinary) and the second respondent published the list of eligible candidates, wherein, the



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petitioner's name was found in serial no.7 and the second respondent published the list of rejected applications, wherein, the third respondent's name was found. However, the third respondent was selected to the post of Assistant Professor in Sociology.

5.The learned counsel appearing for the petitioner further submitted that as per the UGC Notification dated 18.07.2018, the required qualification for the post of Assistant Professor is a Master's Degree with 55% marks in a concerned/ relevant/allied subject from an Indian University or an equivalent Degree from an accredited foreign University. Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC or the CSIR, or a similar test accredited by the UGC, like SLET/SET or who are or have been awarded a Ph.D.Degree in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be exempted from NET/SLET/SET.

6.The learned counsel appearing for the petitioner further submitted that in the present case both the petitioner as well as the



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third respondent possess the necessary qualification of UG, PG and Ph.D., however, the third respondent did not possess UG Degree in the regular mode, therefore the third respondent's candidature has to be rejected, however, without considering the same, the second respondent selected the third respondent for the post of Assistant Professor. The learned counsel further submitted that the third respondent while doing Ph.D., he was working in IIT Madras as regular Assistant Professor and therefore he did not complete Ph.D. in regular mode and hence selecting the third respondent is not sustainable one. The learned counsel further submitted that the petitioner also possess five years teaching qualification in the very same University and the petitioner is eligible person and ignoring the petitioner and selecting the third respondent is not sustainable one.

7.The learned counsel appearing for the second respondent submitted that initially the third respondent's candidature was rejected by the second respondent on the ground that the third respondent pursued his UG Degree in private study mode and on seeking the rejection list, the third respondent vide letter dated 20.10.2023 informed the University that he pursued UG Degree at MDT Hindu



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College, Tirunelveli from 2004 to 2007 in regular mode and that he cleared all the final semester papers except one paper which he cleared in November, 2007 and hence private study is mentioned on the mark sheet. The third respondent also enclosed the conduct certificate mentioning that he is the student of the College during the academic year 2004 – 2007.

8.The learned counsel appearing for the second respondent further submitted that the third respondent was asked to submit a certificate from the Manonmaniam Sundaranar University to the effect that he had pursued UG Degree Course at MDT Hindu College, Tirunelveli in regular mode. Accordingly, the third respondent submitted the certificate issued by the Controller of Examination, Manonmaniam Sundaranar University, Tirunelveli, certifying that the third respondent had undergone UG Degree in the regular mode and hence, his name was included in the eligible list of candidates and he was allowed to appear before the selection committee for interview. The learned counsel further submitted that the third respondent secured 311 marks out of 500 marks, which is the highest score among the candidates who appeared for the interview. Hence, the



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third respondent was selected to the post of Assistant Professor in Sociology.

9.The learned counsel appearing for the second respondent further submitted that both the petitioner and the third respondent possess the necessary qualification of UG, PG and Ph.D. and hence there is no need for NET/SLET/SET eligibility. Further, there is no mode available for completing Ph.D. Even a person working is entitled to pursue Ph.D. and hence the petitioner's claim that the third respondent did not complete Ph.D. in regular mode is not sustainable one. Further, the petitioner secured only 271 marks, whereas, the third respondent secured 311 marks in general category, thereby, his candidature was considered in general category.

10.The learned counsel appearing for the third respondent submitted that the third respondent pursued UG Degree at MDT Hindu College, Tirunelveli affiliated to Manonmaniam Sundaranar University and M.A., Sociology with first class – Manonmaniam Sundaranar University under Merit Scholarship for two years and did Ph.D. from the Department of Humanities and Social Sciences, Indian Institute of



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Technology, Madras and is qualified in UGC – NET in Sociology. At the time of submitting the application before the second respondent, the third respondent was a Post – Doctoral Fellow – IIT Hyderabad in the Inter-disciplinary project 'Reimagining the 'Good City' from Ennore Creek, Chennai' funded by the British Academy, UK.

11.The learned counsel appearing for the third respondent further submitted that the third respondent received Half – Teaching and Research Assistantship (Fellowship) from IIT Madras for pursuing Ph.D. for three and half years and received Research Assistantship from York University, Canada under the project 'Global Suburbanism: Governance, Land and Infrastructure in the 21st Century' for one and half years while pursuing Ph.D. at IIT Madras and he visited University of Laussane, Switzerland as a part of India – Swiss Scholar Exchange Program and received 1.5 Lakhs travel grant from IIT Madras to attend an international conference and participated in the Regional Studies Association's winter conference held at London, UK. The third respondent taught in Madras School of Social Work, Chennai, as a Regular Assistant Professor from July, 2018 to January, 2023 in the unique Course of MA Development Studies / Management and has also as a Guest Faculty at Department of Humanities and Social Sciences,



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IIT Madras during July – November, 2022.

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12.The learned counsel appearing for the third respondent further submitted that initially the third respondent's candidature was rejected by the second respondent on the ground that the third respondent pursued his UG Degree in private study mode and on seeking the rejection list, the third respondent sent emails dated 20.10.2023 and 30.10.2023 to the second respondent explaining that he pursued UG Degree in the regular mode and on considering his explanation, the second respondent sent letter dated 14.11.2023, affording an opportunity to submit a certificate from the Manonmaniam Sundaranar University to the effect that he had pursued UG Degree Course at MDT Hindu College, Tirunelveli in regular mode. Accordingly, the third respondent obtained the certificate from the Controller of Examinations, Manonmaniam Sundaranar University and submitted the same to the second respondent to show that the third respondent pursued UG Degree in the regular mode. Thereafter, the third respondent's application was moved to the eligible list of candidates and he was allowed to appear for interview and after interview, the third respondent was selected to the post of Assistant Professor in Sociology.



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

14.Admittedly, both the petitioner and the third respondent possess the necessary qualification to the post of Assistant Professor in Sociology. It is equally not in dispute that initially the third respondent's candidature was rejected by the second respondent on the ground that the third respondent pursued his UG Degree in private study mode and on seeking the rejection list, the third respondent vide letter dated 20.10.2023 informed the University that he pursued UG Degree at MDT Hindu College, Tirunelveli from 2004 to 2007 in regular mode and that he cleared all the final semester papers except one paper which he cleared in November, 2007 and hence private study is mentioned on the mark sheet. The third respondent also enclosed the conduct certificate mentioning that he is the student of the College during the academic year 2004 – 2007.

15.Thereafter, the third respondent was asked to submit a certificate from the Manonmaniam Sundaranar University to the effect that he had pursued UG Degree Course at MDT Hindu College,



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Tirunelveli in regular mode. Accordingly, the third respondent submitted the certificate issued by the Controller of Examination, Manonmaniam Sundaranar University, Tirunelveli, certifying that the third respondent had undergone UG Degree in the regular mode and hence, his name was included in the eligible list of candidates and he was allowed to appear before the selection committee for interview.

16.Further, in the interview, the petitioner secured only 271 marks, whereas, the third respondent secured 311 marks out of 500 marks, which seems to be the highest score among the candidates who appeared for the interview, thereby, the third respondent's candidature was considered and he was selected to the post of Assistant Professor in Sociology. Hence, the grievance expressed by the petitioner as against the third respondent is mis-conceived.

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

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

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To

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DEPARTMENT OF LAW,
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- 2 THE TAMIL NADU DR.AMBEDKAR LAW UNIVERSITY,
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