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W.P.No.11606 of 2024
& W.P.No.15012 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2026

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11606 of 2024 & W.P.No.15012 of 2025
W.M.P.Nos.16912, 16915 & 54701 of 2025
& W.M.P.Nos.12702 & 12704 of 2024

C.Loganathan

... Petitioner
(In both Petitions)

Vs

1.The Secretary to Government,
Law Department Fort St.Gorge, Chennai-9

2.The Director
Directorate of Legal Studies,
Purasawalkkam High Road,
Kilpauk, Chennai-10.

3.The Secretary
Teachers Recruitment Board,
3rd and 4th Floor Puratchi Thalaivar
Dr.M.G.R.Concentary Buildign,
Perasiriyar Anbazhagam Kalvi
Valagam, College Road,
Nungambakkam, Chennai-6.

... Respondents
(In both petitions)



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& W.P.No.15012 of 2025

Prayer in W.P.No.11606 of 2024: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent in its Na.Ka.No.4928/E2.S2/2022 dated 24.01.2023 and quash the same and consequently direct the respondents to consider and appoint the petitioner as Assistant Professor (Administrative Law) against the available 5 vacancies pursuant to the application made by him.

Prayer in W.P.No.15012 of 2025: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent in its Notification No.1/2025 dated 24.01.2025 and quash the same in so far as it notifies 1 backlog vacancy in Assistant Professor (Administrative Law) under MNC/DNC quota and consequently direct the respondents to process the petitioner's candidature for appointment as Assistant Professor (Administrative Law) pursuant to 2017-2018 Notification.

In both Writ Petitions

For Petitioner : Mr.V.Vijayashankar

For Respondents : Ms.Mythreye Chandru,
Special Government Pleader for RR-1 & 2

Mr.C.Kathiravan for R-3



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COMMON ORDER

Since the issue involved in both the Writ Petitions is one and same, both the petitions are disposed of by way of common order.

2. W.P.No.11606 of 2024 has been filed challenging the order passed by the 2nd respondent dated 24.01.2024, in and by which, the petitioner's request for consideration of his candidature for the post of Assistant Professor was rejected while W.P.No.15012 of 2025 has been filed challenging the subsequent Notification dated 24.01.2025 inviting applications for appointments to the post of Assistant Professor (Administrative Law) and insofar as one backlog vacancy under MNC/DNC quota and seeking a consequential direction to the respondents to process the petitioner's candidature for appointment to the said post.

3. It is the case of the petitioner that, pursuant to the recruitment notification dated 18.07.2018 issued by the Teacher's Recruitment Board inviting applications for appointment to the posts of Assistant Professors in Pre-law and various law subjects, the petitioner submitted four applications, of which, two under the pre-law category and two under the law category. Accordingly, the petitioner appeared for all the examinations held by the Board however, was called for interview only in respect of first two applications relating to Labour



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Law and Sociology (Pre-law) whereas in respect of the other two applications pertaining to Administrative law and Political Science, his applications were not processed and were kept in abeyance.

4. Subsequently, on coming to know that the notification prescribed a maximum limit of only two applications per candidate, he submitted a representation dated 29.08.2022 seeking consideration of his candidature in respect of the remaining two applications however, the said representation was rejected by order dated 24.01.2024. Challenging the same, the petitioner has filed the W.P.No.11606 of 2024.

5. It is the further case of the petitioner that, out of the 10 vacancies notified, only six were filled. Of the remaining 4 vacancies, one was reserved for MBC community to which the petitioner belongs. The said vacancies were carried forward and included in the latest recruitment notification dated 24.01.2025 wherein, one vacancy under the MBC /DNC quota has been shown as a backlog vacancy which has been notified without considering the petitioner's candidature and aggrieved by the same, W.P.No.15012 of 2025 has been filed.



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6. Learned counsel appearing for the petitioner submitted that the respondents rejected the petitioner's candidature by placing reliance on Clauses 6(b) and 7(ii) of the notification however, the said clauses do not stipulate that rejection of applications would be made in the order of seniority and in the absence of any such provision, the respondents cannot substitute reasons that are not expressly confined in the notification to justify the rejection of the petitioner's candidature. He further submitted that, it is the duty cast upon the respondents to call upon the petitioner to indicate which two applications, he intended to pursue, instead of unilaterally rejecting the remaining applications. As no such opportunity was given to the petitioner and therefore, the impugned order passed by the respondents is liable to be set aside. Accordingly, he prayed for appropriate orders.

7. Learned Special Government Pleader appearing for respondents 1 & 2 submitted that, as per Clauses 6(b) & 7(ii) of the Notification dated 18.07.2018, the candidates were permitted to apply only for 2 posts i.e. for both Assistant Professor (Law) and Assistant Professor (Pre-law) however, the petitioner, in contravention to the same, had submitted four applications, of which, the first two applications pertain to Labour Law & Sociology while the other two applications pertain to Administrative Law & Political Science. The OMR sheets corresponding to first two applications were evaluated whereas the OMR sheets



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relating to Administrative Law & Political Science were not evaluated as the said applications exceeded the prescribed limitations.

8. Heard the learned counsel appearing on either side and perused the materials available on record.

9. The facts in the present case are not in dispute. Admittedly, the petitioner had submitted four applications pursuant to the notification dated 18.07.2018 though the notification prescribed that a candidate could apply for a maximum of two posts. However, the respondents evaluated only the first two applications and declined to process the remaining two applications by placing reliance on Clauses 6(b) and 7(ii) of the notification.

10. Though it is the case of the respondents that Clauses 6(b) and 7(ii) of the notification does not permit the candidates to apply for more than two posts, a perusal of the same reveals that there is no specific procedure in which excess applications would be dealt with nor does the said notification prescribes that such applications would be rejected in the order of seniority. In the absence of any specific procedure contemplated under the notification, the respondents could not have unilaterally rejected the petitioner's subsequent applications without affording him an opportunity to indicate as to which two posts his



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candidature ought to be considered as it is the preference of the candidates which matters in the selection of the posts and not that of the respondents in deciding in which posts the application of the candidates could be considered.

11. A perusal of the materials on record reveals that the petitioner was not eligible for the posts of Sociology and Political Science, however, he is eligible only for labour law and Administrative Law. Insofar as Labour law is concerned, the petitioner had participated in the interview but, he was not selected and in respect of administrative law, his application was not evaluated.

12. It is not in dispute that one vacancy under MBC category remained unfilled pursuant to the notification dated 18.07.2018 and the same has been carried forward as backlog vacancy in the subsequent notification. In such circumstances, when there is a vacancy existing, there is no legal impediment for the respondents to consider the petitioner's candidature for the post of Administrative law under MBC category.



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13. For the reasons aforesaid, the Writ Petition stands disposed of directing that, the backlog vacancy earmarked under MBC category in the present notification shall not be filled up till the evaluation of the petitioner's application. The said exercise shall be completed within a period of six (6) weeks from the date of receipt of a cop of this order. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

17.02.2026
(2/2)

Index : Yes / No
Speaking Order / Non-speaking order
Neutral Citation Case : Yes / No
Nhs

To

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M.DHANDAPANI, J

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