



WEB COPY

WP No. 19086 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

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

**WP Nos. 19086 of 2026
and W.M.P.Nos.20333 and 20336 of 2026**

Sri Vasavi College
Rep by its Secretary
Thiru.C.Bala Rama Prakash,
Vasavi College Post,
Erode- 638316.

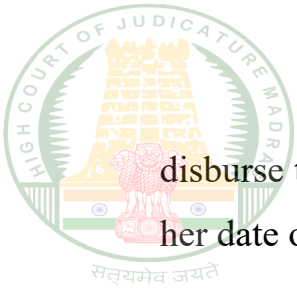
..Petitioner(s)

Vs

1. The Government of Tamil Nadu
Represented 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 0015.
3. The Regional Joint Director Collegiate
Education
Coimbatore Region,
Coimbatore.

..Respondent(s)

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Certiorarified Mandamus calling for records on the file of the 3rd respondent made in Na.Ka. No. 849/ (A2) Aa3/ 2024 dated 21.11.2025 and quash the same and Consequently direct the 2nd and 3rd Respondents to approve the appointment of G. Kowsalya as Gardener made by the petitioner college W.e.f. 18.01.2024 in the sanctioned vacancy and to



disburse the salary and arrears of salary and all other benefits with effect from her date of appointment.

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

For Respondent(s): Mr.A.R.Balaji, Government Advocate

ORDER

Challenge in this writ petition is to the order of the 3rd respondent made in Na.Ka. No. 849/ (A2) Aa3/ 2024 dated 21.11.2025 and consequently direct the 2nd and 3rd respondents to approve the appointment of G.Kowsalya as Gardener made by the petitioner college w.e.f. 18.01.2024 in the sanctioned vacancy and to disburse the salary and arrears of salary and all other benefits with effect from her date of appointment.

2. The case of the petitioner is that the petitioner is an aided College affiliated to the Bharathiar University and governed by the Tamil Nadu Private Colleges (Regulation) Act, 1976. Several sanctioned Group D non-teaching posts fell vacant due to retirement, promotion, and other contingencies. The competent authority granted permission on 20.01.2023 to fill 12 Group D vacancies.

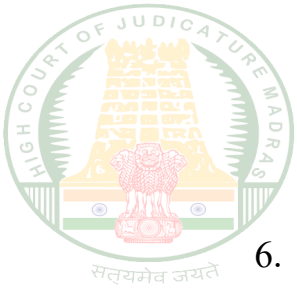
3. Pursuant to the approval, the petitioner conducted recruitment through due selection process by issuing public notifications, sponsoring candidates



through the Employment Exchange, conducting interviews, and appointing eligible candidates, including G. Kowsalya as Gardener. Thereafter, a proposal dated 05.02.2024 was submitted seeking approval of the appointments. However, the respondents rejected the proposal by relying upon G.O.Ms.No.66 dated 03.04.2025, which mandated outsourcing of Group D posts. The petitioner contends that the rejection is illegal and arbitrary since the appointments were made prior to the issuance of G.O.Ms.No.66 and pursuant to valid permission granted by the authorities.

4. The petitioner further relies upon the Division Bench judgment in W.A.No.3429 of 2025, wherein it was held that G.O.Ms.No.66 has no retrospective effect. Therefore, the petitioner seeks quashing of the impugned order dated 21.11.2025 and for a consequential direction to approve the appointment of G. Kowsalya with all attendant monetary and service benefits from the date of appointment.

5. Heard the learned counsel appearing for the petitioner and the Government Advocate appearing for the respondents and perused the materials placed before this Court.



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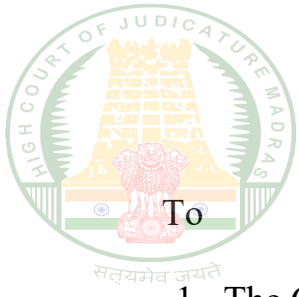
6. It is seen from the records that the respondents have not taken into account the fact that the Government Order in G.O.Ms.No.66, dated 03.04.2025, does not have retrospective effect as held by the Hon'ble Division Bench of this Court in W.A.No.3429 of 2025 dated 17.11.2025. Hence, the impugned order dated 21.11.2025 passed by the 3rd respondent is set aside and the matter is remitted to the 2nd and 3rd respondents for fresh consideration in the light of the aforesaid judgment of the Division Bench. The 2nd and 3rd respondents are directed to pass appropriate orders, on merits and in accordance with law, within a period of two (2) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner to put forth his defence.

7. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

08-06-2026

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

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P.T.ASHA, J.

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