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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN
AND
THE HONOURABLE MR.JUSTICE E.MANOHARAN

WA Nos. 3688 of 2024 & 293 of 2025

CNR:{HCMA011932792024}

and

CMP Nos. 29161 of 2024, CMP No. 29163 of 2024,& CMP No. 2260 of 2025

Dr.T.Sumathi, Ph.D.,
W/o. P. Sivaprakasam,
Working as Associate Professor in the
Department of Medical Biochemistry,
University of Madras,
Taramani Campus, Chennai -113.

Appellant(s)

Vs

1. The Vice Chancellor
Chair Person of Selection Committee
and Syndicate of University of Madras,
Chepauk, Chennai – 600 005.

2.The Registrar
University of Madras, Chepauk,
Chennai - 005.

Respondent(s)

PRAYER

Writ Appeal filed under clause 15 of Letters Patent to set aside the order dated 30.07.2024 made in WP No.26566/2022 dated 30.07.2024 in so far as

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directing the 1st respondent to re-constitute the selection committee for the purpose of promotion to the post of Professor under Career Advancement Scheme (CAS).

For Appellant :: Mr.G. Sankaran
Senior Counsel for
Mr.K. Raja
For Respondents :: Mr.R. Thirunavukkarasu
Standing Counsel

WA No. 293 of 2025

CNR:{HCMA012187982024}

1. The Vice Chancellor
Chair Person of Selection Committee
(Presently Convenor Committee)
University of Madras, Chepauk,
Chennai-600 005.

2.The Registrar
University of Madras Chepauk,
Chennai 600 005.

Appellant(s)

Vs

Dr.T Sumathi, Ph.D.,
W/o.P.Sivaprakasam,
working as Associate Professor in the
Department of Medical Biochemistry,
University of Madras, Taramani
Campus, Chennai-600 113.

Respondent(s)

WA No. 293 of 2025

PRAYER

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 30.07.2024 passed in Writ Petition No 26566 of 2022.

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For Appellants :: Mr.R. Thirunavukkarasu
Standing Counsel

For Respondents :: Mr.G. Sankaran
Senior Counsel for
Mr.K. Raja

J U D G M E N T

(*Delivered by Dr.G.Jayachandran J.*)

Dr.T. Sumathi, working as an Associate Professor in the Department of Medical Bio-Chemistry, University of Madras, Taramani Campus, participated in the selection process for the post of Professor in the same Department. However, her candidature was not considered by the Selection Committee. Hence, she approached this Court seeking issuance of Certiorarified Mandamus to call for the Syndicate action taken report dated 17.03.2023 and the Selection Committee minutes held on 17.02.022, insofar as non-selection of the writ petitioner is concerned, quash the same and to direct the respondent University to promote the writ petitioner as Professor in the Medical Bio-Chemistry Department.

2. The writ petition was opposed by the University on the premise that the writ petitioner was found not eligible to be promoted as Professor since her performance in the *vivavoce* was not impressive.

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3. The learned Single Judge, on considering the records, found that the candidature of the writ petitioner was rejected based on the opinion expressed by one of the members of the Selection Committee and it was not the collective opinion of the Committee.

4. The case of the University is that the writ petitioner was given Career Advancement as an Associate Professor with effect from 14.09.2016. Thereafter, she submitted her CAS (‘Career Advancement Scheme’) application dated 20.02.2020 for CAS promotion from Associate Professor (Stage 4) to Professor (Stage 5). Her application for CAS promotion was processed and after receiving satisfactory evaluation reports, she was called to appear before the Selection Committee on 11.02.2022. However, she was not found fit and her candidature was not recommended by the Selection Committee. The report of the Selection Committee was placed before the Syndicate of the University. The members of the Syndicate, on considering the report of the Selection Committee, approved the action taken by the Selection Committee. As per UGC Regulations, any fresh consideration for the post of Professorship can be entertained only on fresh application and after one year moratorium period from the date of rejection. The stand of the University was that merely possessing the minimum qualification and requirements for the post for Professorship are not adequate. A candidate should also be found to be eligible by the Selection

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Committee duly constituted as per the University Grants Commission norms and in the case of the writ petitioner, the Selection Committee found the writ petitioner not fit to be recommended for the post of Professorship.

5. However, the case of the University was overturned by the learned Single Judge on the ground that on acquiring three years of service as an Associate Professor in the academic level 13A and having Ph.D Degree in the relevant discipline, the writ petitioner was eligible for promotion as Professor under Career Advancement Scheme. The Screening-cum-Evaluation Committee which has assessed the writ petitioner has recommended her case for consideration. However, the Selection Committee has not recommended her name for Professorship and the reason for not recommending is not made available in the records produced by the University, since certain portions of the minutes of the Selection Committee meeting were redacted. After perusing the minutes of the Selection Committee and taking into consideration the provisions of UGC Regulations in respect of promoting Associate Professors to the post of Professorship, the writ petition was allowed on the following terms:

> "*36. Accordingly, this Writ Petition stands allowed on the following terms:*
>
> *(i) The impugned action taken report of the Syndicate of the first respondent in its proceeding dated 17.03.2023 and*

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impugned selection committee minutes of the first respondent held on 11.02.2022 insofar as non-selection of the petitioner to the post of Professor in the Department of Medical Biochemistry shall stand quashed;

(ii) The first respondent University shall reconstitute a Selection Committee, however, with new expert members who are not part of the earlier Selection Committee;

(iii) The said Selection Committee shall formulate the criteria for promotion from the post of Associate Professor to the post of Professor and conduct the selection which may include an interview also as per the criteria and objectively assess the petitioner;

(iv) If the Selection Committee recommends the promotion of the petitioner, then, the petitioner shall be promoted to the post of Professor with effect from 14.09.2019 with all backwages, monetary benefits and other attendant benefits;

(v) The eligibility of the petitioner will be concerning the said date of 14.09.2019 and the subsequent initiation of Disciplinary Proceedings will not be a bar for consideration of promotion to the petitioner, if she is otherwise eligible;

(vi) The above exercise shall be carried out by the respondent University within three months from the date of receipt of a copy of this order and in the event that the petitioner succeeds, the orders of promotion be passed and all the benefits be granted within such period.

(vii) There shall be no order as to costs."

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Being aggrieved by the order, the Vice Chancellor of the University as well as the writ petitioner have come before this Court questioning the validity of those portions of the order, which are not satisfactory to them.

6. Learned Standing Counsel appearing for the University submitted that the process for promoting Associate Professors as Professors had already been commenced by the University and if the writ petitioner makes a fresh application, her candidature will be considered by the Selection Committee constituted for the purpose.

7. However, learned Senior Counsel appearing for the writ petitioner/appellant in W.A. No. 3688 of 2024 would submit that the learned Single Judge ought to have allowed the writ petition and granted the relief as prayed for directing the University to promote the writ petitioner as Professor without undertaking any other fresh process, instead, the learned Single Judge, though it fit to constitute a fresh Selection Committee and complete the process within the time prescribed. The University should have at least complied with the direction of this Court and constituted a Selection Committee forthwith. However, the University has prolonged the process for nearly 4 years depriving the writ petitioner of her lawful entitlement of being promoted as a Professor.

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8. After due consideration of rival submissions, we find that the University ought to have diligently implemented the direction of the learned Single Judge by constituting a new Expert Member Committee to assess the writ petitioner regarding her suitability to the post of Professorship. Having failed to do so and to the contrary, has filed the intra-court appeal in W.A. No. 293 of 2025 and more than 2 years have been lost. At the same time, the writ petitioner has also not obtained full clearance or recommendation from the earlier Selection Committee. ***In the said circumstance, we are of the view that the writ petitioner Dr.T. Sumathi, who is the appellant in W.A. No. 3688 of 2024 be conferred with Professorship from the date of this order without any other monetary benefits, which will avoid any further delay under the guise of conducting fresh selection process.***

9. The writ appeals are disposed of with the above directions. No costs. Connected C.M.P.s are closed.

(G.JAYACHANDRAN J.) (E.MANOHARAN J.)
29-10-2026

Neutral Citation:Yes/No
nv

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To

1.The Vice Chancellor
Chair Person of Selection Committee
and Syndicate of University of Madras,
Chepauk, Chennai - 005.

2.The Registrar
University of Madras, Chepauk,
Chennai - 005.

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DR.G.JAYACHANDRAN J.
AND
E.MANOHARAN J.

nv

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