IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2026

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.34579 of 2025
and
W.M.P. Nos. 38753 of 2025 and 7232 of 2026

D.Bhuvaneswari ... Petitioner

Vs

1. The Syndicate of Annamalai University
Rep by its Secretary Annamalai Nagar,
Chidambaram.

2.The Registrar I/c
The Annamalai University, Annamalai
Nagar, Chidambaram. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, Calling for the records of the show cause notice issued by the 2nd respondent in his office memorandum No.C1-1/ 03359/ 2024 dated 03.08.2024 quash the same and direct the 2nd respondent to record the pass results of the accounts test for sub- ordinate officers part- I examination published by the e- bulletin dated 07.04.2025 in petitioners service records and pass.

For petitioner : Mr.M.S. Palaniswamy

For respondents : Mr. S. Nambi Arooran
for M/s.Ajmal Associates

ORDER

The writ petition has been filed to call for the records relating to the show cause notice issued by the 2nd respondent in Office Memorandum No.C1-1/03359/2024 dated 03.08.2024, to quash the same and consequently direct the 2nd respondent to record the petitioner's pass in the Accounts Test for Subordinate Officers Part–I Examination published in the e-Bulletin dated 07.04.2025 by the Tamil Nadu Public Service Commission in her service register.

2. It is the case of the petitioner was appointed as Junior Assistant on 19.10.1994 and was subsequently promoted as Assistant in 2001 and Superintendent in 2008, subject to the condition that she should pass the Accounts Test for Subordinate Officers Part–I within the stipulated time, failing which her increments would be withheld. It is further stated that she did not pass the Accounts Test within the prescribed period. While so, the impugned show cause notice dated 03.08.2024 was issued proposing to cancel her

promotions and refix her pay on the ground of non-passing of the Accounts Test. Challenging the same, this writ petition has been filed. It is the contention of the petitioner that during the pendency of the impugned notice, she appeared for the test and successfully passed the same in April 2025 and the result was published on 07.04.2025. Thereafter, she submitted a representation seeking recording of the said qualification in her service register, but the same has not been considered.

3. Learned counsel for the petitioner submitted that though the promotions in the years 2001 and 2008 were subject to passing of the Accounts Test, the petitioner has now cleared the test in April 2025. Hence, the very basis for the show cause notice no longer survives.

4. He drew the attention of this Court to Government Orders viz., G.O.Ms.No.1120 (Human Resources Development (S) Department dated 30.10.1984 and G.O.Ms.No.41 (Human Resources Development (S) Department dated 09.05.2023 granting relaxation from passing departmental tests to Government servants who have crossed 55 years of age. The petitioner, being aged about 59 years and nearing superannuation on 30.05.2026, is entitled to such relaxation.

5. Learned counsel would further contended that at the time of granting promotions, though the condition regarding passing of the test was incorporated,

the petitioner was allowed to continue in the promotional posts for several years and discharged higher responsibilities. No monetary benefits beyond the scale attached to the post were irregularly drawn. He also submitted that the petitioner is willing to forego any increments, if necessary, but seeks protection of the promotional posts already enjoyed and settlement of terminal benefits accordingly.

6. Hence, it is the strong submission of the learned counsel that issuance of the show cause notice to the petitioner that too at the verge of retirement, proposing reversion to the original post, is arbitrary and liable to be interfered with.

7. Per contra, the learned counsel appearing for the respondents would vehemently contend that the promotions granted to the petitioner in the years 2001 and 2008 were purely conditional, subject to passing of the Accounts Test within the prescribed time, whereas the petitioner has not satisfied the said conditions.

8. More particularly, by relying paragraph Nos.6 and 7 of the counter affidavit, he vehemently contended that as per the Syndicate Resolutions, particularly Resolution No.54 dated 18.06.2014 and subsequent resolutions, promotions granted without passing the mandatory Accounts Test after 30.06.2010 were treated as irregular. Accordingly, show cause notices were

directed to be issued to such employees proposing cancellation of promotions and refixation of pay.

9. He also pointed out that there was no declaration of probation in the promotional posts as the petitioner had not fulfilled the essential qualification. Therefore, she cannot claim a vested right in the promotional posts. However, he fairly submitted that since the petitioner has now passed the Accounts Test in April 2025, the respondents would abide by any direction of this Court with regard to recording of the qualification and settlement of terminal benefits, subject to the applicable rules.

10. This Court has considered the rival submissions and perused the materials placed on record.

11. It is not in dispute that the petitioner's promotions were conditional upon passing the Accounts Test for Subordinate Officers Part–I. It is also not in dispute that she failed to pass the said test within the stipulated period and it is noted from the arguments that her increments were withheld accordingly. However, it is equally undisputed that the petitioner has now successfully passed the Accounts Test in April 2025 and the result has been published by the TNPSC on 07.04.2025. This Court finds that the impugned notice was issued solely on account of the petitioner not having passed the Accounts Test within the stipulated period. Since the petitioner has now admittedly passed the said

test and the result has been officially published, and the hidden object is fulfilled, the very basis for the impugned notice no longer survives. Therefore, this Court is of the considered view that continuation of the proceedings at this stage would serve no useful purpose. From the submissions made by the learned counsel for the petitioner, it is noted that no monetary benefits have been given to the petitioner in respect of the aforesaid promotions.

12. In view of the above, this Court issues the following directions :-

> (i) The impugned show cause notice in Office Memorandum No.C1-1/03359/2024 dated 03.08.2024 is declared as having become infructuous and no further action shall be taken pursuant thereto by the respondents.
>
> (ii) The 2nd respondent is directed to record the necessary entries with regard to passing of Accounts Test for Subordinate Officers Part–I Examination, in petitioner's service register, after due verification.
>
> (iii) The respondents shall declare probation of the petitioner and they are at liberty to regulate increments, if any, in accordance with the applicable rules for the period prior to the petitioner passing the test.
>
> (iv) The petitioner shall be permitted to continue in the present post till superannuation and her terminal benefits shall be settled in accordance with law.

13. With the above observations and directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

27.02.2026

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

1. The Syndicate of Annamalai University
Rep by its Secretary Annamalai Nagar,
Chidambaram.

2.The Registrar I/c
The Annamalai University, Annamalai
Nagar, Chidambaram.

M. DHANDAPANI, J.

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