



WA.Nos. 316, 355, 365, 378, 396, 442, 466 and 481 of 2026,

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE SHAMIM AHMED

WA.Nos. 316, 355, 365, 378, 396, 442, 466 and 481 of 2026,
CMP.Nos.3346, 2839, 3110, 3203, 3618, 4328, 4419 and 4591 of 2026

WA.No.316 of 2026:-

Annamalai University, represented by its Registrar
Annamalai Nagar, Chidambaram
Cuddalore 608002
Vs

Appellant

1. A.Parre

2. The Commissioner of Technical Education
Chennai 600025

Respondents

Prayer:- These Writ Appeals are filed, under Clause 15 of the Letters Patent, to set aside the orders, passed by the Writ Court in WP.Nos.40872, 43045, 38357, 38543, 40805, 40868, 43048 and 43119 of 2025, dated 26.11.2025 and allow these Writ Appeals, as prayed for.

For Appellant(s) : Mr.M.Ajmal Khan, SC
for Mr.S.Nambi Arooran-All WAs

For Respondent(s) : Mr.R.Singaravelan, SC for Ms.P.Brindha-R1-
(WA.316 of 2026)
Mr.G.Mutharasu-R1-WA.355 of 2026
Mr.G.Mutharasu-RR1 to 5-WA.365 of 2026
Mr.G.Mutharasu-RR1 to 13-WA.378 of 2026
Mr.S.Ramesh-R1-WA.396 of 2026
Mr.R.Singaravelan, SC for Ms.P.Brindha-R1-
(WA.442 of 2026)
Mr.Mr.G.Mutharasu for Mr.G.Paramasivam R1-
(WA.466 of 2026)
Mr.Mr.G.Mutharasu -RR1 to 9-WA.481 of 2026



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Mr.A.Selvendran, SGP-R2 (WA.316 of 2026),
RR2 and 3 (WA.355 of 2026), RR6 and 7
(WA.365 of 2026), RR14 to 15 (WA.378 of
2026), RR2 and 3 (WA.396 of 2026),
R2(WA.442 of 2026), RR2 and 3 (WA.466 of
2026), RR10 and 11 (WA.481 of 2026)

COMMON JUDGEMENT

(Judgement of the Court was made by R.Suresh Kumar, J.)

1. Since these Writ Appeals have been directed, against the common order passed by the Writ Court, dated 26.11.2025, in the respective Writ Petitions in WP.Nos.40872, 43045, 38357, 38543, 40805, 40868, 43048 and 43119 of 2025, all these Writ Appeals were heard together and disposed of, by this common judgement.
2. The Appellant is the Annamalai University, which is a State University. Till 2013, it was a Private University, governed by a State Legislation. Subsequently, by the Annamalai University Act, 2013 (In short "Act"), the Annamalai University has become a full-fledged State University and has been maintained by the State and funds are being generated from the State Government.
3. After the Annamalai University was taken over by the State, as a Unitary University, it was found that many number of teaching staff and non-teaching staff, who were working at the time of taking over of the Annamalai University by the State Government, were in excess. Therefore, a policy decision was taken by the Annamalai University in consultation with the Government and the same has been implemented by issuance of various Government Orders,



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by the State Government, thereby, the excess teaching staff and non-teaching staff, having been identified are being redeployed to various Government Institutions, Organisations and Departments, in a phased manner.

4. One such Government Order had been issued by the State Government in GO(D)No.217, Higher Education (H1) Department, dated 20.08.2025, thereby 230 teaching staff and non-teaching staff in this batch, having been identified as excess staff, have been redeployed to various Institutions, like Government Engineering Colleges, Polytechnic Colleges as well as the Departments, like Public Works Department, etc.
5. Pursuant to the said GO(D)No.217, Higher Education (H1) Department, dated 20.08.2025, when individual deployment orders had been issued to the employees, those employees, including the teaching staff and non-teaching staff, numbering about 30 had joined together and filed a batch of Writ Petitions in WP.No.40872 of 2025, etc. before this Court, questioning the said GO(D)No.217, Higher Education (H1) Department, dated 20.08.2025.
6. The main grounds urged by the Writ Petitioners before the Writ Court were that they had been working in the Annamalai University in a particular designation, both in the teaching category as well as the non-teaching category as the case may be. However, by virtue of this deployment, they would be posted in the deployed post in a different designation, thereby they would loss their identity and designation, which they have earned so far, by virtue of their qualifications and seniority, at the Annamalai University.



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7. The second ground urged by them before the Writ Court was that the salary that has been fixed basically on them by the Annamalai University and had been received by them hitherto would also be reduced or modified, thereby they will be losing a part of their pay scale, by virtue of this deployment. Therefore, on these two main grounds and also the ground that the very deployment itself may not be justified or necessary, in view of the current strength of the teaching staff and the non-teaching staff, at the Annamalai University and therefore, the very deployment had also been questioned by them before the Writ Court in the said batch of Writ Petitions.
8. Later, the Writ Court, having taken all these Writ Petitions together and on hearing these Writ Petitions, disposed of the same, by the common order, dated 26.11.2025, which is impugned in these Writ Appeals.
9. After hearing the learned counsel appearing for both the parties, the Writ Court has ultimately allowed the Writ Petitions in part by making a set of directions. To have a complete clarity in the matter, the relevant portion of the common order, dated 26.11.2025, passed in those Writ Petitions, which is impugned herein, is extracted as under:-

“11. In view of the above, this Court is inclined to issue the following directions:-

(a) The impugned orders passed by the respondents in all the Writ Petitions, thereby re-designating each of the petitioners herein to a lower cadre, as well as re-fixing and reducing their pay scales are hereby declared as illegal.

(b) The respondents shall forthwith pass appropriate orders, restoring the pay scales of all these petitioners herein to their original scale of pay.



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(c) In case, the scales of pay of any of the petitioners herein have already been reduced and given effect to, the difference of the total salary emoluments shall be refunded to them.

(d) The respondents are directed to pass appropriate orders by re-designating the petitioners to various posts in the same cadre which were held by them in the same scale of pay, which the petitioners were drawing at the time of their re-designation or in the alternate, create equal supernumerary posts and accommodate them in the respective Government Colleges and institutions by passing suitable orders, within a period of four (4) weeks from the date of receipt of a copy of this order.

(e) Insofar as the petitioner in W.P.No.40868 of 2025 is concerned, considering the illness of the petitioner, the order passed by the first respondent dated 17.10.2025, is hereby set aside. The respondents are directed to permit the petitioner to continue his original post. It is made clear that, if the petitioner in W.P.No.40868 of 2025 is entitled for any promotion, the respondents shall consider the same and pass appropriate orders.

12. Accordingly, all the Writ Petitions stand allowed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs."

10. Aggrieved over the same, the Annamalai University has preferred this batch of Writ Appeals.

11. It is to be noted that before this, a batch of Writ Appeals were filed and brought before us for hearing at the Admission Stage. Already an individual employee, namely, R.Balamurugan, had filed an intra-court Writ Appeal in WA.No.194 of 2026, as against the very same common impugned order, dated 26.11.2025, passed in WP.No.40805 of 2025.

12. In that intra-court Writ Appeal, the grievance of the said individual employee was that the very redeployment itself is unwarranted, unlawful and illegal. Therefore, questioning the very redeployment, which has been confirmed by



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the order of the Writ Court, dated 26.11.2025, the said intra-court Writ Appeal was filed by the said individual employee.

13.The Division Bench of this Court, wherein one of us was a party, by the order dated 29.01.2026, has passed the following order and directions:-

“ 5. The learned Writ Court having heard the writ petitioners as well as the University, has come to the conclusion that the redesignation of the writ petitioners to a lower cadre and refixing and reducing their pay scale was considered to be an illegal one. Therefore, it was declared so and a set of directions have also been passed by the Writ Court, which reads thus:

? 11. In view of the above, this Court is inclined to issue the following directions:

(a) The impugned orders passed by the respondents in all the Writ Petitions, thereby re~designating each of the petitioners herein to a lower cadre, as well as re~fixing and reducing their pay scales are hereby declared as illegal.

(b) The respondents shall forthwith pass appropriate orders, restoring the pay scales of all these petitioners herein to their original scale of pay.

(c) In case, the scales of pay of any of the petitioners herein have already been reduced and given effect to, the difference of the total salary emoluments shall be refunded to them.

(d) The respondents are directed to pass appropriate orders by redesignating the petitioners to various posts in the same cadre which were held by them in the same scale of pay, which the petitioners were drawing at the time of their re~designation or in the alternate, create equal supernumerary posts and accommodate them in the respective Government Colleges and institutions by passing suitable orders, within a period of four (4) weeks from the date of receipt of a copy of this order.

(e) Insofar as the petitioner in W.P.No.40868 of 2025 is concerned, considering the illness of the petitioner, the order passed by the first respondent dated 17.10.2025, is hereby set aside. The respondents are directed to permit the petitioner to continue his original post. It is made clear that, if the petitioner in W.P.No.40868 of 2025 is entitled



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for any promotion, the respondents shall consider the same and pass appropriate orders.?"

6. Therefore, the sum and substance of those directions that has been issued by the Writ Court through the impugned order that the redesignation and refixing of the salary by reducing their designation and reducing their pay scale has been declared to be illegal and directions were given to the University to pass appropriate orders to restore the original designation of each of the teaching faculty and also their original pay be fixed. During the interregnum, if any reduction of pay has been made to any of the teaching staff that has also to be calculated and paid back.

7. Insofar as the redesignation is concerned, the learned Writ Court in Clause (d) of paragraph 11 of the impugned judgment as stated supra, has made it clear that the redesignation can be made, where if there is no such post is available, a supernumerary post be created in the transferred place or redeployed place and accordingly, the teaching staff shall be permitted to work in the same category of post in the same scale of pay.

8. In fact, aggrieved over the said order, Annamalai University preferred writ appeal, which came to be dismissed by confirming the order passed by the Writ Court dated 26.11.2025.

9. However, it is a case like the odd man out, where the benefits that has been extended by the Writ Court to the teaching faculties, one among them has come out with the present writ appeal stating that even the redeployment ought not to have been allowed insofar his case is concerned, because he has one among the 18 teaching faculties, who are required to be retained at the Annamalai University for the Civil Engineering Department.

10. In this context, the learned counsel appearing for the appellant would submit that there are 32 teaching faculties in various categories from Professor to Assistant Professors were working originally in the Civil Engineering Department, out of whom, since 14 have been retired, now only 18 are working and the sanctioned faculty for the Civil Engineering Department as per the All India Council for Technical Education norms is 18. Therefore, the appellant cannot be construed as an excess teaching faculty, therefore, his retention is a must and therefore, he has to be retained at the Annamalai University itself without being redeploying him to any other institute.



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11. *We are not impressed with the said submission made by the learned counsel appearing for the appellant for the reason that, whether the teaching faculty working in a particular department are required to be retained in toto or some of them have to be found out as excess teachers, in view of the students strength, who got enrolled every year and also on the basis of the financial stability of the University can be decided by the University Management and this position has been upheld by various decisions.*

12. *Insofar as Civil Engineering Department is concerned, how many number of teaching faculties on various categories have to be retained should be decided by the Management of the University and cannot be decided by any other party, much less the present appellant, who is one of the faculty.*

13. *Moreover, by virtue of the redeployment order, the appellant is not going to lose either his designation or his pay and emoluments and this position has been completely protected based on the order passed by the Writ Court, which is impugned herein. As his designation as an Assistant Professor would be retained and his pay, which he drawn prior to the redesignation also would be restored. When that being the position, it cannot be stated that the appellant is aggrieved over the order passed by the Writ Court. In fact, the Writ Court has come to the rescue by showing utmost sympathy and equity towards the teaching faculties in allowing those writ petitions by giving the set of directions in paragraph 11 of the impugned order as extracted herein above.*

14. *When that being the position, the appellant cannot have any grievance over the order, which is impugned herein dated 26.11.2025 passed by the Writ Court. Hence, we do not propose to interfere with the same as the said order having been considered was upheld earlier in number of writ appeals having been moved by the Annamalai University. Hence, the present appeal is liable to be dismissed. Accordingly, it is dismissed. However, there shall be no order as to costs. Connected miscellaneous petitions are closed.*

15. *It is brought to our notice that, by virtue of an interim order, the appellant has not joined the transferred or redeployed college from October 2025 till date. Since he has not joined the redeployed college, his salary also for the past three months have not been paid. The learned counsel for the appellant is directed to instruct the appellant/writ petitioner to join immediately at the redeployed College viz., Allagappa Chettiar Government College of Engineering and Technology, Karaikudi, within a maximum period of one week*



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from today.

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16. On reporting at the redeployed college within the said one week period, he shall be taken on duty by the redeployed college, where the salary payable to the appellant for the period from October, 2025 to January, 2026 shall be calculated and paid to him, as he had been enjoying the interim order granted by this Court during the said period.”

14.It is in this back ground, now this batch of Writ Appeals has been preferred by the Annamalai University.

15.Heard Mr.M.Ajmal Khan, the learned Senior Counsel for the Appellant University, who would submit that in so far as the redeployment is concerned, that has not been interfered with by the Writ Court, through the impugned order. However, in so far as the set of directions that has been given, especially the first direction in paragraph 11(a) is concerned, the Writ Court has passed orders, stating that the impugned orders passed by the Respondents in all the Writ Petitions, thereby redesignating each of the Writ Petitioners to a lower cadre as well as refixing and reducing their pay scale were declared as illegal, was the offending decision taken by the Writ Court, as against which only, these Writ Appeals have been preferred, he contended.

16.In this context, the learned Senior Counsel for the Appellant University has relied upon the similar GO(D).No.236 Higher Education (H1) Department, dated 09.09.2025, wherein, the Annexure II, contains the following Clause (4), which reads thus:-

“4. During the period of agreement, the surplus non-teaching of Annamalai University are entitled to receive their pay and other



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allowances in the pay band applicable to the respective posts with pay protection in the Directorate of Technical Education.”

17.Relying on the said Clause (4) of the Annexure II of the said GO(D).No.236

Higher Education (H1) Department, dated 09.09.2025, the learned Senior Counsel for the Appellant University would contend that during the period of agreement, i.e. the redeployment period, the surplus non-teaching staff at the Annamalai University are entitled to receive their pay and other allowances in the pay band applicable to the respective posts with pay protection in the Director of Technical Education, thereby the pay hitherto being paid to these non-teaching employees on redeployment, would also be protected. Therefore, absolutely there has been no loss of pay or reduction of pay in so far as these redeployed employees are concerned, he contended.

18.Therefore, the learned Senior Counsel for the Appellant University would submit that the only main grievance of the Appellant University is that in so far as the restriction put up by the Writ Court through the impugned order, not to redesignate these redeployed employees, both teaching staff and the non-teaching staff, covered under the impugned GO is concerned, that may not be workable or in other words it might be unworkable for the simple reason that whenever this kind of teaching staff and non-teaching staff are deployed to various Government Institutions, Government Engineering Colleges, Government Polytechnic Colleges, and other Departments, like Public Works Department, etc. if the same designation is not available in those



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Organisations or Institutions, it will be very difficult to maintain the very same designation. Therefore, to that extent, the direction given by the Writ Court is liable to be interfered with, he contended.

19. We have considered the vehement submissions made by the learned Senior Counsel for the Appellant University and also verified the factual matrix of the case and the materials placed before this Court.

20. In so far as the redeployment process is concerned, the Writ Court has upheld the redeployment process, as against which, the **WA.No.194 of 2026** filed by an individual employee in the matter of **R.Balamurugan Vs. Secretary to Government Higher Education Department, Government of Tamil Nadu and others**, having been considered, was dismissed by the Division Bench, as stated supra, by the order dated 21.09.2026. Therefore, in so far as the redeployment is concerned, there could be no quarrel between the parties and the same has to be implemented, which, in fact, has been implemented. However, in so far as the process to redesignate these employees and revision of their pay structure is concerned, the revision of pay structure has not been made, is the contention of the learned Senior Counsel for the Appellant University. As against the question put by us whether such a revised pay has been made or not or the pay hitherto paid to them had been revised or not, the same since has not been protected by the impugned order of the Writ Court, the University does not express any grievance over the order passed by the Writ Court. We need not delve upon this issue in the present batch of Writ Appeals.



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21. Now, the only issue left for consideration of this Court is whether the redesignation, intended through the impugned GO, now has been declared to be illegal by the Writ Court, can be sustained or not.

22. In order to delve into this question, it is the contention of the learned Senior Counsel for the Appellant University that in so far the redesignation in the Institutions, where these employees were redeployed, is concerned, if there is no equivalent post available, it becomes inevitable to redesignate these employees to the suitable posts, which are available in the said Government Organisations, Institutions or other Government Departments concerned.

23. We are not agreeing with the said submission made by the learned Senior Counsel for the Appellant University for the simple reason that the Writ Court, while declaring such redesignation as illegal, has given a further direction to the State that if there is no such equivalent post available in the Institutions, where these employees are deployed, on par with these equivalent posts, supernumerary posts should be created to each of such employees, wherever such contingency arises and in the supernumerary posts created, the employees can be fit in for the whole period of deputation or redeployment, which would be for a three years period. Therefore, the presumption would be that the supernumerary posts to be created to have accommodated these employees in these Institutions would be ceased to be in operation once the deployed employees get redeployed at the Annamalai University, at a later point of time.

24. Therefore, even in respect of redesignation is concerned, after the



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redesignation is declared to be an illegal, if the equal post is not available in the Institutions, where these employees are redeployed, then the supernumerary posts can be created for a limited period where these employees are going to be accommodated as deployed employees and by virtue of this, the Annamalai University would in no way be affected and it would not have any grievance.

25. When that being the position, the grievance, that has been projected before this Court, as against the order passed by the Writ Court, which is impugned herein, had already been readressed or it need not be readressed further, as there has been no grievance for the Appellant University, in so far as the redesignation of these employees are concerned, as those Institutions now governed by the State Government have not come forward before this Court questioning the redesignation or the declaration made by the Writ court against the redesignation or the direction given by the Writ Court to create supernumerary posts so far. When that being the position, there has been absolutely no grievance as expressed by the University as stated by the learned Senior Counsel for the Appellant University. Hence, we do not find any reason to interfere with the orders passed by the Writ Court, which is impugned herein.

26. Very importantly, it had already been considered and decided in WA.194 of 2026, by the order dated 21.09.2026, wherein the Division Bench of this Court has upheld the order passed by the Writ Court, which is the impugned order herein. Therefore, looking from any angle, the present batch of Writ



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Appeals are devoid of merits and therefore, they are liable to be dismissed.

27.Pursuant to the order passed by the Writ Court, if any employees covered under the impugned order of the Writ Court are still not joining in the redeployment places or the Institutions, they shall immediately report for duty within a period of one week from the date of receipt of a copy of this order. Other wise, they will lose their salary on completion of the period of one week.

28.With the above observations, all these Writ Appeals are dismissed. However, there is no order as to costs. Consequently, the connected CMPs are closed.

(R.S.K.J.) & (S.S.A.J.)
25.02.2026

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Neutral Citation
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To

1. The Commissioner, Directorate of Technical Education, Chennai 600025
2. The Secretary to Government ,Higher Education Department, Secretariat, Fort St.George, Chennai-9
3. The Registrar, Annamalai University, Annamalai Nagar, Chidambaram, Cuddalore 608002

Note: Registry to type full cause title.



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