



WEB COPY

WA No. 194 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

**WA No. 194 of 2026
and CMP.Nos. 1776 & 1777 of 2026**

R.Balamurugan

..Appellant

Vs

1. The Secretary to Government,
Higher Education Department,
Fort St. George, Chennai-8.
2. The Commissioner,
Directorate of Technical Education,
Sardar Patel Street,
Guindy, Chennai-600 032.
3. Annamalai University,
Represented by its Registrar,
Annamalai Nagar,
Chidambaram,
Cuddalore District,
Pin-608 002



4. Alagappa Chettiar Government College of
Engineering and Technology,
Karaikudi.

..Respondent(s)

Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 26.11.2025 in W.P.No.40805 of 2025 in so far as it does not quash the redeployment of the appellant with the 4th respondent and consequently quash the order of redeployment in entirety as prayed for in W.P.No.40805 of 2025 and thus render justice.

For Appellant : S.Ramesh

For Respondents : Mr.A.Selvendran
Special Government Pleader [R1 & R2]

Judgment

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This intra-court appeal has been directed against the order passed by the Writ Court dated 26.11.2025 made in W.P.No.40805 of 2025. In fact, the impugned order was a common order, where number of writ petitions like the present one have been disposed of.

2. The writ petitioners including the present appellant/ writ petitioner were teaching faculties of the Annamalai University. The Annamalai University was established in the year 1928 under the private management by a legislation



called Annamalai University Act. Thereafter, during the year 2013, due to unrest, as there has been a severe financial crisis to meet both the ends by the University Management as number of teaching and non-teaching faculties swelled into several thousands, the University Management was not able to pay salary, therefore there has been a complete unrest. With the result, the same had to be taken over by the State Government by bringing a legislation called Annamalai University Act, 2013.

3. After the Annamalai University Act, 2013 was enacted, a Special Officer was appointed, subsequently, regular Vice-Chancellor also had been appointed and the complete management had come under the control of the State Government. In other words, we can say that the Annamalai University has become a full fledged State University created by an Act of legislature. As an austerity measure, to streamline the financial position and to improve the financial position and well being run of the institution several steps had been taken by the Management of the University. One such important step taken by the University Management was to identify the excess staff working in the teaching as well as the non-teaching category and to redeploy them in various Government and Governmental institutions to continue to work in those institutions on deputation basis for three years within the meaning of Section 19 of 2016 Act.



4. When such a decisions were taken by issuing a Government Order in G.O(D).No.217, Higher Education (H1) Department, dated 20.08.2025 redesignating and redeploy some of the teaching faculties, those teaching faculties including the appellant/writ petitioner had approached the Writ Court by filing the writ petitions.

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 re-fixing 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 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

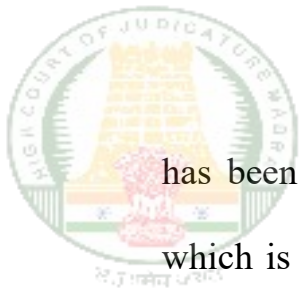


Department, out of whom, since 14 have been retired, now only 18 are working and the sanctioned faculty for the Civil Engineering Department as per the All India Council for Technical Education norms is 18. Therefore, the appellant cannot be construed as an excess teaching faculty, therefore, his retention is a must and therefore, he has to be retained at the Annamalai University itself without being redeploying him to any other institute.

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.

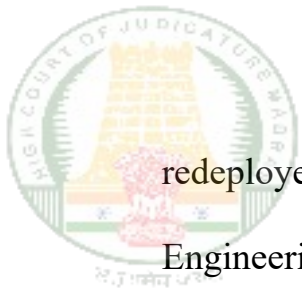
13. Moreover, by virtue of the redeployment order, the appellant is not going to lose either his designation or his pay and emoluments and this position



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 from today.

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.

(R.S.K.,J.) (K.G.T.,J.)
29-01-2026

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

To

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Fort St. George,
Chennai-8
2. The Commissioner,
Directorate of Technical Education,
Sardar Patel Street,
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Chennai-600 032
3. Annamalai University,
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