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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.1757 of 2020
and
W.M.P.(MD)No.1480 of 2020

Fisheries University Teachers Association
Rep. by its General Secretary
Prof.R.Jeyashakila
Reg. Office at 3a/180
T.V.K.Nagar
FCI Godown Opposite
Bypass Road
Thoothukudi-8

... Petitioner

Vs.

1.The Registrar
Tamilnadu Dr.J.Jayalalitha Fisheries University
Vettar River View Camus
Nagapattinam

2.The Dean
Fisheries College and Research Institute
Thoothukudi

3.The Principal Secretary to Govt.
The Govt. of Tamilnadu
Animal Husbandry(Diary and Fishery)
Chennai

4.Dr.S.Felix



5.DR.Arul Prakash
6.Dr.Saravanan
7.Dr.Ambika
8.Dr.Deepak
9.Dr.Mir Ishfaz Nazir

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Quo warranto to the Respondents 5 to 9 to show cause under what authority the respondents 5 to 9 are holding the post of Assistant Professors in the 1st respondent University and to quash their appointment to such posts.

For Petitioner	: Mr.G.Prabhu Rajadurai
For R1 & R2	: Mr.V.Karthikeyan
For R3	: Mr.A.Kannan, Additional Government Pleader
For R5	: Mr.Ram Sundar Vijayaraj
For R6 & R7	: Mr.A.Thirumurthy
For R8 & R9	: Mr.R.Rengaramanujan

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This writ petition has been filed by the petitioner Association, as Public Interest Litigation seeking a Writ of Quo warranto to the the authority of the respondents 5 to 9 to show cause under what authority



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the respondents 5 to 9 are holding the post of Assistant Professors in the 1st respondent University and to quash their appointment to such posts.

2.The main ground in this writ petition is that the respondents 5 to 9 do not have basic qualification, ie., degree in Bachelor of Fishery Science, whereas, they had completed degree only in Basic Science. Therefore, according to the writ petition, the selection of the respondents 5 to 9 to the post of Assistant Professors in the Fisheries Department is not valid.

3.At the outset, we are of the view that without challenging the notification, an Association cannot maintain the writ petition as Public Interest Litigation by making general allegations. Apart from that appointments were made, after completing proper recruitment process. For service jurisprudence, Public Interest Litigation cannot be entertained. It is for the concerned persons, who are all participated in the selection process as per the notification, to challenge the same. In this regard, it is useful to refer the decision of the Hon'ble Supreme Court in *Madan Lal Vs. High Court of Jammu and Kashmir and others* reported in (2014) 15 SCC, which reads as follows:-



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9. That apart time and again this Court repeatedly held that in service matters Public Interest Litigation is not maintainable. We can profitably refer to a recent decision reported in *Hari Bansh Lal vs. Sahodar Prasad Mah to - (2010) 9 SCC 655*. Paragraphs 14 and 15 are relevant which are as under:

"14. In Ashok Kumar Pandey v. State of W.B. this Court held thus: (SCC pp. 358- 59, para 16) " 16 . As noted supra, a time has come to weed out the petitions, which though titled as public interest litigations are in essence something else. It is shocking to note that courts are flooded with a large number of so-called public interest litigations where even a minuscule percentage can legitimately be called public interest litigations. Though the parameters of public interest litigation have been indicated by this Court in a large number of cases, yet unmindful of the real intentions and objectives, courts are entertaining such petitions and wasting valuable judicial time which, as noted above, could be otherwise utilised for disposal of genuine cases. Though in Duryodhan Sahu (Dr.) v. Jitendra Kumar Mishra this Court held that in service matters PILs should not be entertained, the inflow of so-called PILs involving service matters continues unabated in the courts and strangely are entertained. The least



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the High Courts could do is to throw them out on the basis of the said decision. The other interesting aspect is that in the PILs, official CIVIL APPEAL NOS.1393-1394 OF 2002 8 of 10 documents are being annexed without even indicating as to how the petitioner came to possess them. In one case, it was noticed that an interesting answer was given as to its possession. It was stated that a packet was lying on the road and when out of curiosity the petitioner opened it, he found copies of the official documents. Whenever such frivolous pleas are taken to explain possession, the courts should do well not only to dismiss the petitions but also to impose exemplary costs. It would be desirable for the courts to filter out the frivolous petitions and dismiss them with costs as aforesaid so that the message goes in the right direction that petitions filed with oblique motive do not have the approval of the courts."

The same principles have been reiterated in the subsequent decisions, namely, B. Singh (Dr.) v. Union of India , Dattaraj Nathuji Thaware v. State of Maharashtra and Gurpal Singh v. State of Punjab.

15.The above principles make it clear that except for a writ of quo warranto, public interest litigation is not maintainable in service matters."



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4.It is also brought to the notice of this Court that the petitioner Association's members have also participated in the selection process and none of them has challenged the said notification. Therefore, we do not find any merits in this writ petition. Accordingly, this writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
10.03.2026

Index :Yes/No
Internet :Yes
GNS

To

The Principal Secretary to Govt.
The Govt. of Tamilnadu
Animal Husbandry(Diary and Fishery)
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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