



W.P.(MD)No.9524 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.9524 of 2026

and

W.M.P(MD)No.7589 of 2026

The Secretary

Arul Anandar College (Autonomous)

Karumathur, Madurai-625 514.

... Petitioner

Vs.

1.The State of Tamil Nadu

Rep. by its Secretary,

Department of Higher Education,

Fort St. George,

Chennai-600 009.

2.The Commissioner of Collegiate Education,

Saidapet, Chennai-600 015.

3.The Joint Director of Collegiate Education,

Madurai Zone, Madurai-625 002.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the

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impugned proceedings issued by the third respondent Joint Director in Oo.Mu.No.2157/U2/2024 dated 16.04.2024, quash the same and further direct the third respondent Joint Director to approve forthwith the appointment of T.Littlethas as Sweeper in the petitioner's college w.e.f. 03.01.2024 and disburse the grant-in-aid towards his salary and allowances with effect from the date of his initial appointment.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers
For Respondents : Mr.K.Porkodi
Government Pleader

ORDER

This writ petition has been filed seeking a writ of Certiorarified Mandamus to quash the impugned proceedings issued by the third respondent in Oo.Mu.No.2157/U2/2024, dated 16.04.2024, and consequently direct the third respondent to approve the appointment of T.Littlethas as Sweeper in the petitioner's college with effect from 03.01.2024 and disburse the grant-in-aid towards his salary and allowances from the date of his initial appointment.



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2. Heard the learned counsel appearing for the petitioner and Mrs.K.Porkodi, learned Government Pleader appearing for the respondents.

3. The impugned proceedings came to be issued refusing approval of the appointment made by the petitioner to the post of Sweeper on the ground that appointments to Last Grade Service posts in aided colleges are required to be made only through outsourcing and not by way of regular appointment. Reliance was placed on G.O.Ms.No.49, Personal and Administrative Reforms Department, dated 14.05.2002, and G.O.Ms.No.219, Higher Education (D1) Department, dated 24.10.2013, for refusing approval of the appointment made by the petitioner.

4. The appointment in question was made by the petitioner on 03.01.2024. An identical issue came up for consideration before this Court in WP(MD)No.6223 of 2026. After examining the matter in detail, this Court came to the conclusion that the appointments made to the Last Grade Service posts in Collegiate Education prior to G.O.(Ms)No.66, Higher Education Department



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WEB COPY (D2) dated 03.04.2025, need not necessarily be made through outsourcing. The relevant paragraph of the said decision dated 09.06.2026 reads as follows:-

“5. It is not in dispute that the fourth respondent has sought permission for filling up the post of Sanitary Worker in their College and such permission was accorded by the second respondent through proceedings dated 14.05.2022. It is pursuant to the said proceedings only, the fourth respondent initiated the recruitment process and accordingly, selected and appointed the petitioner as Sanitary Worker by an order dated 05.06.2023. The objection that is raised in the impugned proceedings as well as in the counter-affidavit for not granting approval for the appointment of the petitioner is that by virtue of various orders issued by the Government from time to time, the Group-D posts existing in the Collegiate Education are required to be filled up only by way of outsourcing and not by way of regular appointment. In support of the said contention, the official respondents have relied upon G.O.(Ms) No.49, Personnel and Administrative Reforms (F) Department, dated 14.05.2002; G.O.Ms.No.219, Higher Education (D1) Department, dated 24.10.2013 and G.O.(Ms).No.66, Higher



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WEB COPY *Education Department (D2), dated 03.04.2025. Besides the above said Government Orders, the official respondents have placed reliance on the letter of the second respondent dated 05.06.2023.*

*6. During the course of hearing, it is brought to the notice of this Court that the orders issued in G.O.Ms.No.219, Higher Education (D1) Department, dated 24.10.2013, were already quashed by this Court in W.P.Nos.6679 & 6680 of 2016 in the case of **The Secretary, Nirmala College for Women vs. State of Tamil Nadu, rep.by its Secretary, Higher Education Department and others**. It is also brought to the notice of this Court in W.A.(MD) No.2348 of 2024, vide Judgment dated 27.01.2025 [**The Government of Tamil Nadu and others vs. Ramawamy Tamil College**], this Court held that the Government Order G.O.(Ms) No.49, Personnel and Administrative Reforms (F) Department, dated 14.05.2002, was also struck down and this Court has held that the said Government Order has no application to the Private Educational Institutions both Colleges and Schools in the State of Tamil Nadu, which are governed by two different legislations. Once both the Government Orders relied upon by the official*



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WEB COPY respondents are found to be not applicable to the case of the petitioner, the consequential letter of the second respondent dated 05.06.2023 is a letter issued in terms of the orders in G.O. (Ms) No.49, Personnel and Administrative Reforms (F) Department, dated 14.05.2002. As the said Government Order itself is held to have been not applicable to the Private Aided Colleges, the said letter of the second respondent is of no consequence.

7. Insofar as G.O.(Ms).No.66, Higher Education Department (D2), dated 03.04.2025 is concerned, the same was issued much after the appointment of the petitioner and admittedly, the said Government Order in G.O.(Ms).No.66, Higher Education Department (D2), dated 03.04.2025, whereby Sub Rule 3(ii) of the Tamil Nadu Private Colleges (Regulation) Rules, 1976 was amended, was not given retrospective effect and therefore, the said Government Order cannot be put against the petitioner or the fourth respondent – College to refuse to grant approval for the appointment of the petitioner.”



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5. In the light of the reasoning assigned in the above order, the impugned proceedings dated 16.04.2024 cannot be sustained and accordingly the same is hereby quashed. The respondents 2 & 3 are directed to grant approval to the appointment in question with effect from the date of appointment and release all consequential monetary and other benefits as expeditiously as possible, within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

15.06.2026

Neutral Citation: Yes / No

Index : Yes / No

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To

- 1.The Secretary,
Department of Higher Education,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner of Collegiate Education,
Saidapet, Chennai-600 015.
- 3.The Joint Director of Collegiate Education,
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MUMMINENI SUDHEER KUMAR, J.

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