



W.A.(MD)No.371 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.01.2026

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.A.(MD)No.371 of 2021

T.Bhaskar

... Appellant

Vs.

- 1.State of Tamilnadu,
Rep. by its Secretary to Government,
Higher Education Department,
Fort St.George, Chennai.
- 2.The Director of Collegiate Education,
College Road, Chennai - 6.
- 3.The Joint Director of Collegiate Education,
Tirunelveli Range, Tirunelveli.
- 4.The Secretary,
St.Xaviers College,
Palayamkottai,
Tirunelveli - 627 003

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.3726 of 2015 dated 24.11.2020 on the file of this Court.



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For Appellant : Mr.J.Jeyakumaran

For Respondents : Mr.T.Amjadkhan,
Government Advocate for R1 to R3.
Mr.K.Ragatheesh Kumar,
For M/s.Isaac Chambers for R4.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.This is second round of litigation. The writ petitioner was appointed as Lecturer in the Department of Chemistry in St.Xavier's College, Palayamkottai as a temporary staff on 17.06.2002. Since it was not a regular or approved appointment, the question of paying salary by the department did not arise. Hence, the writ petitioner filed W.P.(MD)No.5237 of 2007. It was dismissed on 18.11.2008. Aggrieved by the same, the writ petitioner filed W.A.(MD)Nos.785 to 787 of 2008. The writ appeals were disposed of on 30.04.2009 and the only relief that was given to the appellant was that he should be continued as a management staff, till the vacancy was filled up on regular basis. Subsequently, the appellant got employment in a government college. Thereafter, the writ petitioner filed W.P.(MD)No.3726 of 2015. He



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challenged the order passed by the Director of Collegiate Education on 29.01.2015 denying him salary for the period when he worked in St.Xavier's College, Palayamkottai as a management staff. The learned Single Judge vide order dated 24.11.2020 dismissed the writ petition. Aggrieved by the same, this writ appeal has been filed.

3.It is beyond dispute that the writ petitioner was appointed originally as a temporary staff and later as a management staff. At no point of time, the appellant was appointed as against a sanctioned vacancy. It was not an approved appointment. Therefore, the question of the department paying any salary for the said period does not arise at all for the post of Lecturer in which the writ petitioner had worked. The learned Single Judge had rightly approached the issue and interference with the said order of dismissal does not arise at all. The writ appeal stands dismissed. No costs.

(G.R.S. J.) & (R.K.M. J.)
02.01.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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