



W.P.(MD)No.22274 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.02.2026

CORAM

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

**W.P(MD)No.22274 of 2018
and
W.M.P.(MD)No.20189 of 2018**

K.Arun

... Petitioner

Vs.

- 1.The Secretary to Government,
Higher Education Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
- 2.The Director of Collegiate Education,
College Road, Chennai.
- 3.The Joint Director of Collegiate Education,
College Road, Chennai.
- 4.The Bharathidasan University,
Tiruchirapali,
Represented by its Registrar.
- 5.The Correspondent,
Secretary,
A.Veeraiya Vandayar Memorial Sri
Pushpam College (Autonomous),
Poondi, Thanjavur.



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6.Udayakumar,
Former Principal,
A.Veeraiya Vandayar Memorial Sri
Pushpam College (Autonomous),
Mela Rajaveethi, Needamangalam,
Thanjavur District.

7.The College Committee,
A.Veeraiya Vandayar Memorial Sri
Pushpam College (Autonomous) ,
Poondi, Thanjavur District,
Represented by its Secretary.

8.M.Ramasamy,
A.Veeraiya Vandayar Memorial Sri
Pushpam College (Autonomous),
Poondi, Thanjavur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notification dated 17.05.2017 in 'Dina Mani' Tamil daily culminating into the appointments of 19 Candidates as Assistant Professors in A.Veeraiya Vandayar Memorial Sri Pushpam College (Autonomous), Poondi, quashing the same and consequently directing proper constitution of the college committee and pursuing thereby through such a college committee, the process of filling up of 19 vacancies for the post of Assistant Professors in A.Veeraiya Vandayar Memorial Sri Pushpam College (Autonomous), Poondi, giving opportunities to all concerned.



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For Petitioner : Mr.S.K.Mani

For Respondents : Mr.T.Amjadkhan,
Government Advocate for R1 to R3.
Mr.V.R.Shanmuganathan for R4
Mr.Isaac Mohanlal, Senior Counsel,
For Mr.S.Venkatesan.
Mr.M.Karuppasamy for R8
No appearance for R6 and R7

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

Heard both sides.

2.The writ petitioner challenges the recruitment notification dated 17.05.2017 issued by the management of A.Veeraiya Vandayar Memorial Sri Pushpam College (Autonomous), Poondi, Thanjavur. The validity of the notification has already been upheld by us vide order dated 10.02.2026 in W.P.(MD)No.3983 of 2019 and W.A.(MD)No.1567 of 2018.



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3.The writ petitioner was an aspirant for the post of Assistant Professor (Zoology). We, therefore, made it clear to the learned counsel for the petitioner that we would examine the validity of selection of the eighth respondent alone.

4.The learned counsel for the petitioner is right in his contention that the entire process appeared to have been rushed through. The notification was issued on 17.05.2017. The last date for submission of the application by eligible candidates was 26.05.2017. But strangely, call letters were issued on 25.05.2017 itself. The interview was held on 27.05.2017 and appointment letters were also issued on the same day.

5.The learned counsel for the petitioner drew our attention to the condition subject to which permission was accorded for filling up the vacancies. It clearly states that persons issued with call letters must be given ten days time to participate in the interview. In this case, hardly a day's time was given. These acts committed by the college management cannot be lost sight of. The department ought to have looked into this issue.



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6.Be that as it may, considering the sheer efflux of time and the locus of the petitioner, we are not in a position to interfere. It is well settled that a person who has taken part in the selection process cannot turn around and question the process itself. The principle of estoppel can be applied against the writ petitioner.

7.The learned counsel for the petitioner trained guns on the qualification obtained by the selected candidate namely, Dr.Ramasamy. He points out that Ramasamy obtained Post grade decree M.Sc., (Zoology) through distance mode from Vinyaga Missions University which is a deemed university. He pointed out that the course content of Vinayala University when compared with Alagappa University in particular would not pass muster.

8.We went through the relevant UGC notification. It is seen that permission from UGC is required even for offering distance education. But then, 26.05.2010 appears to be the cut off date. Notification dated 27.06.2013 reads as follows:-



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“A. UGC Regulations on Private Universities

A private university established under a State Act shall be a unitary university. A private university may be permitted to open off campus centres, off shore campuses and study centres after five years of its coming into existence subject to the fulfillment of conditions as laid down under UGC (Establishment of & Maintenance of Standards in Private Universities) Regulations, 2003. As of now, the UGC has not granted permission to any Private University to establish off-campus/study centre.

B.UGC Regulations on Deemed Universities

A Deemed University shall operate only within its Headquarters or from those off campuses/off-shore campuses which are approved by the Government of India through notification published in the official gazette.

In case of distance education programmes, no institution deemed to be university, so declared by the Govt. of India after 26th May, 2010 [date of publication of UGC (Institutions Deemed to be Universities) Regulations, 2010] is allowed to conduct courses in the distance mode.

The institutions deemed to be universities declared before 26th May, 2010 are not allowed to conduct courses in distance mode from any of its off-campus centres/off-shore campuses approved after 26th May, 2010



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Approval for new courses and extension of approval of the courses already run by the Deemed to be Universities under distance mode would be granted by the UGC subject to the fulfillment of conditions as laid down by the UGC

The UGC has not granted approval to any deemed to be university to establish study centres

Any information/clarification with regard to recognition of Private Universities/Deemed Universities and the courses offered by them may be obtained from JS (CPP-I) UGC, Bahadurshah Zafar Marg, New Delhi.

C. Distance Education programmes of the Central Universities and State Govt. Universities

The Central/State Govt. Universities can conduct courses through distance mode in accordance with the provisions of their respective Act and after the approval of the UGC.

The information relating to recognized universities, list of specified degrees and all the relevant regulations/instructions/guidelines of the UGC are available on UGC website: www.ugc.ac.in



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The students are, advised not to take admission in the unapproved Study Centres, Off-Campus Centres, Franchisee Institutions. Colleges/Institutions claiming to be affiliated with Private Universities or Deemed Universities.”

9.In the case on hand, Dr.Ramasamy had obtained his degree in the year 2007 – 2009. It was well before the cut off date. The affidavit filed by the Joint Director of Collegiate Education also reads that Master's degree obtained by Ramasamy was verified and found to be valid. An affidavit to this effect has been filed. Paragraph Nos.5, 6 and 7 of the said affidavit read as follows:-

“5.I further submit that the 8th respondent was appointed as Assistant Professor on 16.06.2017 at A.Veeraiya Vandayar Memorial Sri Pushpam College (Autonomous) Poondi, Thanjavur District. Thereafter, the said college sent the education certificates of 8th Respondent to 4th Respondent requesting them to verify the same and grant educational qualification approval to the 8th Respondent. In pursuant to the same the Registrar of the 4th Respondent University enquired from the Director of School Education, Chennai regarding verification of 10th Standard and 12th Standard of the 8th Respondent and also enquired from the Bharathidasan University, Tiruchirappalli regarding verification of UG Degree



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and Ph.D Degree and also enquired from the Vinayaka Missions University regarding verification of Master Degree (M.Sc Zoology). On enquiry the Registrar of the 4th Respondent found that all the educational certificates of the 8th Respondent are genuine and valid and qualified for the post of Assistant Professor.

6.I further submit that thereafter the Registrar of the 4th Respondent University sent the qualification approval for the 8th Respondent and others to the 5th Respondent College through the proceedings No. 16992/D6/2017 dated 08.11.2018. The copy of the same was forwarded to the 3rd Respondent. While so, based on the proceedings dated 08.11.2018 sent by the 4th Respondent University, appointments has been approved 8th Respondent's through proceedings in Na.Ka.No.1941/A2/2018 dated 12.11.2018.

7.I further submit that therefore, the 8th Respondent completed the Master Degree in Zoology in the year 2007 is well within the above recognition period. Hence, the Master Degree in Zoology completed by the 8th Respondent through distance education at Vinayaka Missions University is genuine, valid and qualified for the post of Assistant Professor.”

10.In these circumstances, we do not propose to disturb the appointment of the eighth respondent. The writ petition stands



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dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**(G.R.S. J.) & (R.K.M. J.)
16.02.2026**

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

- 1.The Secretary to Government,
Higher Education Department,
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- 2.The Director of Collegiate Education,
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