

W.A(MD)No.1355 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2026

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL**

**W.A(MD)No.1355 of 2026
and
CMP(MD)No.11787 of 2026**

1. The State of Tamil Nadu,
Rep by its Secretary,
Department of Higher Education,
Fort St.George,
Chennai 600 009.

2. The Director of Collegiate Education,
College Road,
Chennai 600 006.

3. The Joint Director of Collegiate Education,
Tiruchirappalli Region,
Tiruchirappalli,
Tiruchirappalli District 620 020.

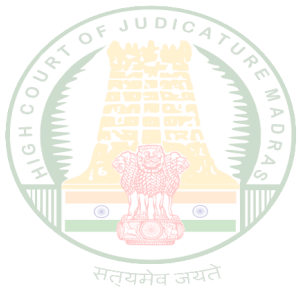
... Appellants

vs.

The Secretary,
St.Josephs College (Autonomous),
Tiruchirappalli 625 002,
Tiruchirappalli District.

... Respondent

PRAYER : Writ Appeal filed under Claus 15 of Letters Patent, against the order dated 28.10.2025 made in W.P(MD)No.27071 of 2025.



WEB COPY



W.A(MD)No.1355 of 2026

For Appellant : Mr.K.K.Udayakumar, Government Advocate
(Civil Side)
For Respondent : Mr.K.Ragatheesh Kumar for
M/.Isaac Chambers

JUDGMENT

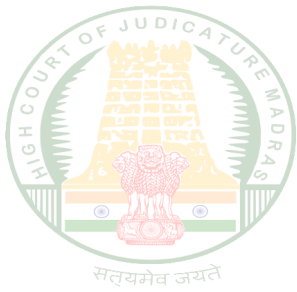
(Judgment of the Court was made by **C.V.KARTHIKEYAN, J.**)

The writ appeal has been filed questioning the order of the learned Single Judge dated 28.10.2025 in W.P(MD)No.27071 of 2025 filed by the respondent herein.

2. The said writ petition had been filed in the nature of a Writ of Certiorarified Mandamus, seeking records relating to the proceedings issued by the Director of Collegiate Education, Chennai, dated 20.12.2024 and to quash the same and to direct the said respondent to approve the appointment of 7 Assistant Professors and one Librarian in the college of the writ petitioner and to disburse the grant-in-aid towards their salary and allowances from the respective dates of their appointment.

3. The learned Single Judge had examined the reasons for rejection of approval. We would also extract the same:

*"i) have not enclosed the details as
to the total number of posts sanctioned in*



WEB COPY



W.A(MD)No.1355 of 2026

the year 1999-2000 as per the available workload.

ii) As regards the appointment of the 7 Assistant Professors and 1 Librarian in the College, the details as to the appointment of previous incumbents and their approval from the Director of Collegiate Education were not enclosed.

iii) As stated, in Rule 11(1) of the Tamil Nadu Private Colleges Regulation Act, 1976 these posts were not filled after obtaining the financial sanction.

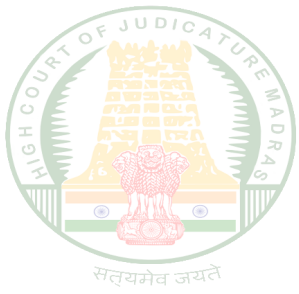
iv) As stated in Rule 11(2) of the Tamil Nadu Private Colleges Regulation Act, 1976 Form 7 A obtained from the 7 Assistant Professors and 1 Librarian is not submitted.

v) As the particulars as to the marks obtained by the candidates took part in the interview was not enclosed, it couldn't be ascertained whether the appointments were made by considering the eligibility."

4. This issue is no longer *res integra*. It had come up for consideration even earlier in ***P.Ravichandran v. State of Tamil Nadu and others*** reported in ***(2013) 7 MLJ 641***, wherein, this Court had held as follows:-

“20. In the light of the above findings as well as the decisions, we conclude this Judgment in the following manner:

(1) There is no requirement under the Tamil Nadu Private Colleges (Regulation) Act, 1976 and Tamil Nadu Private Colleges (Regulation) Rules, 1976, to seek prior permission to fill up any vacant post in an aided college, which has already been sanctioned for



WEB COPY



W.A(MD)No.1355 of 2026

the academic year by the Director of Collegiate Education under Rule 11(1) of the Rules.

(2) If the appointment made by the College Committee in the sanctioned vacant post is in violation of any of the statutory provision, it is open to the Regional Joint Director of Collegiate Education to deny grant-in-aid to the said person appointed in the vacant post.

(3) The teaching staff appointed must be fully qualified, whose qualification is approved by the University to which the college is affiliated. Insofar as the non-teaching staff are concerned, the candidate must possess the qualification prescribed by the Government.

(4) The College Committee while filling up the vacant post, should follow the procedures stated in Rule 11(1A) to 11(4)(ii).

(5) If there is no rival candidate for any post, the appointment is bound to be approved for the purpose of payment of pay and allowances, by the Regional Joint Director of Collegiate Education."

5. The appellants have not put out a case that there are surplus teachers and that therefore, fresh appointment should not be made. They have not raised any issue on Form VIIA which, as a matter of fact, is not applicable to minority institutions. Once the posts have been sanctioned, then Article 30 of the Constitution of India protects the minority institutions from any interference with the administration. They have a right to administer the institution. One aspect of the administration is to appoint the teachers. Here they have filled in the posts for which sanction had already been granted. The selection process has not been questioned or challenged. The learned Single Judge was of the



W.A(MD)No.1355 of 2026

opinion that it was transparent. We affirm the same. We find no merits in the writ appeal.

6. Accordingly, the Writ Appeal stands dismissed. No costs. A direction is issued to the appellants to comply with the direction issued by the learned Single Judge and confirmed by us within a period of twelve weeks from the date of receipt of a copy of this judgment. Consequently, connected miscellaneous petition is closed.

[C.V.K., J.] & [R.S.V., J.]
28.08.2026

Index : Yes / No
Neutral Citation : Yes / No
bala

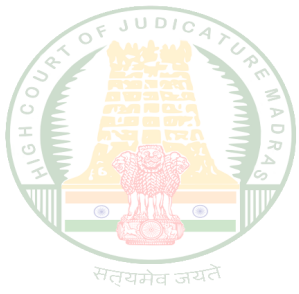
To

1. The Secretary,
State of Tamil Nadu,
Department of Higher Education,
Fort St.George,
Chennai 600 009.

2. The Director of Collegiate Education,
College Road,
Chennai 600 006.

3. The Joint Director of Collegiate Education,
Tiruchirappalli Region,
Tiruchirappalli,
Tiruchirappalli District 620 020.

Page No.5/6



WEB COPY



W.A(MD)No.1355 of 2026

C.V. KARTHIKEYAN, J.
AND
R.SAKTHIVEL, J.

bala

W.A(MD)No.1355 of 2026

28.08.2026

Page No.6/6