



W.P.No.24562 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 11.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.24562 of 2024

and

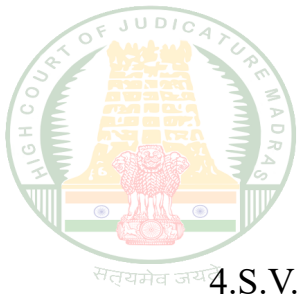
W.M.P.Nos.26882 & 26885 of 2024 and 3605 & 7949 of 2025

The Secretary,
C.Kandaswami Naidu College for Men,
Pachaiyappa's Trust Board Chennai,
Pachaiyappa's College Campus,
Chennai – 600 030.

... Petitioner

-Vs-

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Higher Education,
Fort St.George, Chennai – 600 009.
- 2.The Director of Collegiate Education,
Anna Salai, Saidapet,
Chennai – 600 015.
- 3.The Joint Director of Collegiate Education,
Nandanam,
Chennai – 600 015.



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4.S.V.Arun

... Respondents

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Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned order passed by the 2nd respondent Director of Collegiate Education vide Mu.Mu.No.33766/G1/2021 dated 04.04.2024 setting aside the order of dismissal of the 4th respondent passed by the petitioner college and directing the petitioner college to reinstate the 4th respondent into service, quash the same.

For Petitioner	:	Mr.P.Godson Swaminathan for M/s.Isaac Chambers
For Respondents	:	Mr.V.Jeevagirithara n Additional Government Pleader [R1 to R3] Mr.G.Murugendran [R4]

ORDER

This Writ Petition has been filed challenging the order passed by



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the 2nd respondent dated 04.04.2024, thereby allowing the appeal filed by

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the 4th respondent as against his order of termination.

2. The 4th respondent was working as a Director of Physical Education and he was suspended from service on the charge of receiving bribe to get admission under sports quota. After enquiry, the 4th respondent was terminated from service. Aggrieved by the same, he filed an appeal before the appellate authority, namely the 3rd respondent herein. In the meanwhile, the 4th respondent has filed a writ petition before this Court challenging the suspended order dated 19.08.2021 in W.P.No.7114 of 2022. Pending writ petition, the 4th respondent was terminated from service and the same set aside by the 3rd respondent. This Court, by its order, dated 14.09.2023, disposed of the said writ petition, directing the 2nd respondent to decide the matter afresh. Subsequently, the 2nd respondent set aside the order of termination and directed the petitioner to reinstate the 4th respondent into service. Challenging the same, the present



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writ petition is filed.

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3. Heard both sides and also perused the materials available on record.

4. On a perusal of the records reveal that the petitioner did not obtain any prior approval from the 2nd respondent before passing the order of termination against the 4th respondent. In this regard, it is relevant to rely on Section 19(1) of the Tamil Nadu Private Colleges (Regulation) Act, 1976 (in short 'the Act'), which is extracted hereunder:-

“19. Dismissal, removal of reduction in rank or suspension of teachers or other persons employed in private colleges.-- (1) Subject to any rule that may be made in this behalf, no teachers or other person employed in any private college shall be dismissed, removed or reduced in rank nor shall his appointment be otherwise terminated except with the prior approval of the competent authority.”

5. That apart, even after passing of termination order, the petitioner failed to send any proposal for approval before the 2nd respondent as



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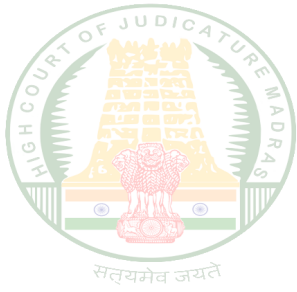
contemplated u/s 19(2) of the Act :-

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“(2) Where the proposal to dismiss, remove or reduce in rank or otherwise terminate the appointment of any teacher or any other person employed in any private college is communicated to the competent authority, that authority shall, if it is satisfied that there are adequate and reasonable grounds for such proposal, approve such dismissal, removal, reduction in the rank or termination of appointment.”

Therefore, the petitioner ought to have sent a proposal to approve the order of termination passed against the 4th respondent before the 2nd respondent with all necessary documents.

6. That apart, the 2nd respondent on merits also concluded that the charges framed against the 4th respondent was not proved and thereby, set aside the order of termination, which cannot be said to be illegal, perverse or arbitrary. Hence, this Court is not inclined to interfere with the order passed by the 2nd respondent and this Writ Petition is liable to be dismissed.



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7. Accordingly, this Writ Petition is dismissed. However, the petitioner is at liberty to send a proposal for approval of the order of termination passed against the 4th respondent in accordance with law. No costs. Consequently, the connected miscellaneous petitions are closed.

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Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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Today, the matter is posted before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the fourth respondent.

2. The learned counsel appearing for the fourth respondent submitted that this Court by an order dated 11.11.2025, dismissed the petition. In that order, in paragraph No.2, it was wrongly typed as “on the charge of receiving bribe” instead of “on the charge of demanding bribe”.

Hence he prayed for necessary direction.

3. Considering the above submissions, the paragraph No.2 of order dated 11.11.2025 in W.P.No.24562 of 2024 shall read as follows :-

*“ 3. The 4th respondent was working as a Director of Physical Education and he was suspended from service on the charge of **demanding** bribe to get admission under sports quota.....”*

Remaining portion of the order shall remain unaltered.

4. Registry is directed to carryout the above correction and



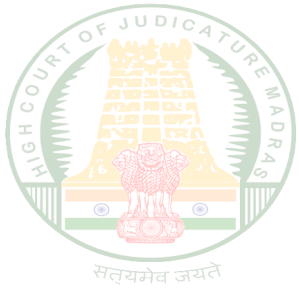
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issue order copy afresh.

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28.11.2025

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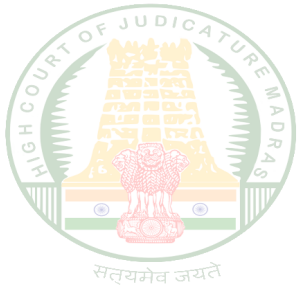


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To

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State of Tamil Nadu,
Department of Higher Education,
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