



W.P.Nos.39291 and 39300 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.39291 and 39300 of 2025
and W.M.P.Nos.44105, 44106, 44119, 44125, 44126 and 44130 of 2025

W.P.No.39291 of 2025:-

1. William Justus
 2. Rajaravivarman
- ... Petitioners

-Vs-

1. The Secretary to the Government,
Higher Education Department,
Secretariat, Fort St. George,
Chennai 600 009.
 2. The Commissioner,
Directorate of Technical Education,
No.53, Sardar Patel Road, Anna University,
Guindy, Chennai-600025.
 3. The Syndicate Secretary,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore 608002.
 4. The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore 608002.
- ...Respondents



W.P.Nos.39291 and 39300 of 2025

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned G.O.217 dated 20.08.2025 and of the consequential impugned proceedings of the second respondent in 31232/A5/2025 dated 03.10.2025, and to quash the same in so far as petitioners concerned and consequently direct the first respondent to issuance of protective guidelines ensuring that redeployment of surplus staff of Annamalai University carried out strictly with protection of cadre, grade, pay, increments, seniority and pensionary benefits, continuity of service without break, preservation of promotional avenues, and clarity regarding re-absorption after three years.

W.P.No.39300 of 2025:-

1. K.Vijaya Raghavan
2. Aruloli

... Petitioners

-Vs-

1. The Secretary to the Government,
Higher Education Department,
Secretariat, Fort St. George,
Chennai 600 009.
2. The Commissioner,
Directorate of Technical Education,
No.53, Sardar Patel Road, Anna University,
Guindy, Chennai-600025.
3. The Syndicate Secretary,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore 608002.



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4. The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore 608002.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned G.O.217 dated 20.08.2025 and of the consequential impugned proceedings of the second respondent in 30781/BN2/2025 dated 03.10.2025, and to quash the same in so far as petitioners concerned and consequently direct the first respondent to issuance of protective guidelines ensuring that redeployment of surplus staff of Annamalai University carried out strictly with protection of cadre, grade, pay, increments, seniority and pensionary benefits, continuity of service without break, preservation of promotional avenues, and clarity regarding re-absorption after three years.

In both W.Ps

For Petitioners	: Mr.C.Iyyapparaj
For R1 and R2	: Mr.M.R.Gokulkrishnan Additional Government Pleader
For R3 and R4	: Mr.M.Ajmal Khan Additional Advocate General assisted by Mr.S.Venkatesh for M/s Ajmol Associates

COMMON ORDER

These writ petitions have been filed challenging the Government Order in G.O.No.217 dated 20.08.2025 and the consequential proceedings of the second respondent dated 03.10.2025, thereby ordering to re-deploy the



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petitioners in the Directorate of Technical Education.

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2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioners were appointed as Technical Assistant in the fourth respondent and they were regularized with a regular scale of pay. The fourth respondent University was originally established under the Annamalai University Act, 1929. Thereafter, in the year 2013, the Government of Tamil Nadu has taken over the University under the New Act viz., Annamalai University Act, 2013, by repealing the old Act. While being so, the first respondent issued an order dated 20.08.2025, thereby identifying 1368 staff members of the fourth respondent University (82 Teaching and 1286 Non-Teaching) as surplus and ordered to re-deploy them in the Government Arts and Science Colleges, Polytechnic Colleges, Engineering Colleges, Universities, Secretariat departments and Government undertakings. As per the order in G.O.No.230, 14 teaching and 216 non-teaching including 173 non-teaching skilled Assistants were deployed to Government Engineering and Polytechnic Colleges on an agreement basis for a period of three years. The petitioners also fell in the same category.

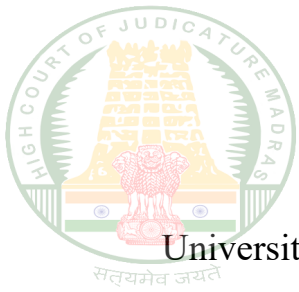


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4. The grievance of the petitioners are that they are currently serving with a grade pay of Rs.35,400/-, Rs.1,30,400/- (Level-11) pre-revised scale 9300-34800+4200. As per the order of the re-deployment, they cannot be downgraded from their original grade and their pay also cannot be reduced. Section 19 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, safeguards and preserves the continuity of service of Government employees, when entering into agreement for appointment.

5. A perusal of the counter filed by the respondents and also on the submissions made by the learned counsel for the respondents reveals that in the year 2013, the State Legislature enacted the Annamalai University Act, 2013. By virtue of Section 58 of the said Act, all Colleges established and maintained by the University under the said Act, shall be deemed to have been established and maintained by the University which is deemed to have been established under the Tamil Nadu Act 20 of 2013. In view of the old Act, it did not give any restrictions in the matter of appointments and as a result of which excessive appointments were made beyond the need of the University and the establishments under it. Therefore, the respondents found that there were surplus staffs in both teaching and non-teaching cadres employed under in the



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University across various departments. It was decided to identify excess staff members and redeploy the excess teaching and non-teaching staff to various other Government departments against existing vacancies to ease the University's financial burden.

6. There were totally 8443 staff members working in the University. Whereas the sanctioned strength is only 1110. Therefore, 4722 staff members were found surplus and the list of 4722 surplus non-teaching staff was furnished by the University to the Government. As per the resolution of the Finance Committee dated 18.01.2017 and the Syndicate dated 08.02.2017, the process of deputation was started and over 75% of the surplus staff have already been deputed to various Government Departments.

7. By G.O.Ms.No.4, Higher Education (H1) Department dated 27.01.2020, whereby 75 surplus non-teaching staff who possess first class in Bachelors in Engineering and Masters in Engineering in the category of Special Officer Grade II (Level 20)/Assistant Executive Engineer (Level 22)/Technical Officer (Level 22)/Instructor Special Grade (Level 16) and Instructor Special Grade (Level 22) of various engineering disciplines were appointed in the existing vacancies of teaching staff in the cadre of Lecturer in relevant

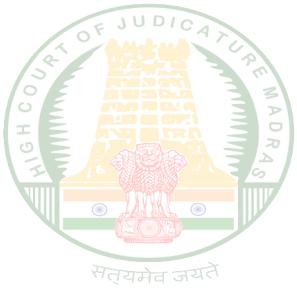


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disciplines in Government Polytechnic Colleges for a period of three years on an agreement basis, subject to the terms and conditions as per Section 19 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

8. Similarly placed persons challenged the order of redeployment in several writ petitions. This Court, by an order dated 10.04.2024, in a batch of writ petitions in W.P.Nos.34308 of 2022 and etc., held that re-designating the petitioners to lower cadre as well as re-fixing and reducing their pay scale were illegal. The respondents were directed to restore the pay scale of all the redeployed persons to their original scale of pay and were also directed to re-designate them to the same post which they were holding.

9. It was challenged in a batch of writ appeals and the Hon'ble Division Bench of this Court in W.A.Nos.1309 of 2024 and etc., dated 24.03.2025 disposed of the writ appeals with directions that the employees, who had signed the offer will be redeployed to similar or equivalent post in Government departments, which carry the same scale of pay. They are also eligible for the benefits of the pay fixation done by the 7th Pay Commission, notional increment and other monetary benefits.



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10. In view of the above observations, these writ petitions are disposed of with the following directions:-

(i) The respondents are directed to redeploy the petitioners to similar or equivalent post in their redeployed places which carry the same scale of pay for a period of three years.

(ii) The redeployment will be for a period of three years and will be extended depending upon the exigencies.

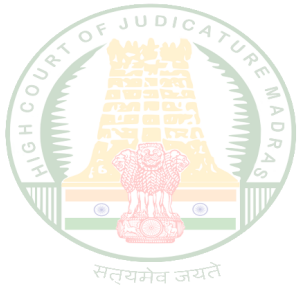
(iii) They are entitled to have all benefits as their original posts.

(iv) The petitioners shall be given full pay protection during the period of agreement for a term of three years.

11. Accordingly, these writ petitions are disposed of. Consequently, connected Miscellaneous petitions are closed. No costs.

17.11.2025

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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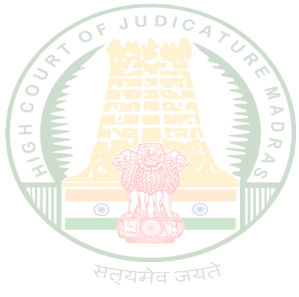


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G.K.ILANTHIRAIYAN. J,

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