



W.P.Nos.32478 of 2024 & etc., batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

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CORAM:

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.32478, 32481, 32485 of 2024, 31881, 31897, 31943, 32076,
32200, 32206, 32212, 33217, 32268, 32707, 33161, 33187, 35536,
35642, 36735, 33192, 33269, 33474, 34336, 34540, 34560, 34576,
34782, 35380 , 35642, 37717, 37741, 37754, 38112, 42644, 42735,
42866 of 2025

and

WMP.Nos. 35266, 35268, 35276, 35278, 35283, 35284 of 2024, 35693,
35694, 35696, 35699, 35710, 35712, 35717, 35719, 35779, 35771,
35773, 35776, 35957, 35958, 36093, 36094, 36096, 36097, 36101,
36102, 36103], 36106, 36108, 36109, 36110, 36112, 36188, 36192,
36194, 36195, 36620, 36624, 36627, 36629, 37254, 37257, 37259, 37308,
37310, 37311, 37318, 37319, 37320, 37343, 37345, 37346, 37400,
37401, 37402, 37610, 37611, 37612, 38502, 38504, 38505, 38698,
38699, 38701, 38731, 38726, 38729, 38749, 38752, 38750, 38960,
38962, 38970, 39603, 39605, 39606, 39766, 39767, 39886, 39887,
41086, 41087, 41088, 41089, 42186, 42188, 42190, 42192, 42221,
42207, 42588, 42589, 42590, 47697, 47698, 47802, 47803, 47931, 47933
and 47934 of 2025

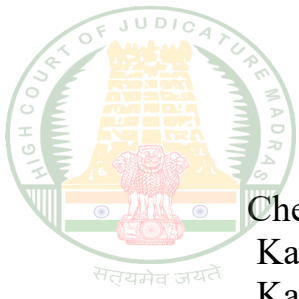
W.P.No.32478 of 2024

Dr.Devendiran,
S/o.Vinayagam Jayaraman

...Petitioner

Vs.

1. The Registrar,
Anna University,
Sardar Patel Road,
Chennai - 600 025.
2. The Dean,
University College of Engineering, Kancheepuram
Anna University Constituent College,



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Chennai – Bangalore Highway, Ponnerikkarai,
Karaipettai Village and Post,
Kancheepuram – 631 552.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to absorb the petitioner as an Assistant Professor, in the Department of Computer Science and Engineering with effect from the date of appointment, and grant all consequential benefits, and bring the petitioner under the revised 7th Pay Commission time scale of pay of an Assistant Professor as enshrined in State of Punjab Vs. Jagjit Singh and Ors. 2017 (1) SCC 148 from the date of appointment till the date of absorption.

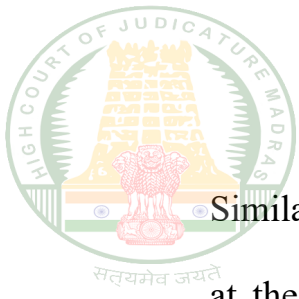
For Petitioner : M/s.D.Geetha
[in all W.Ps.]

For Respondents : Mr.V.Govarthanan
[in all W.Ps.] for M/s.Row and Reddy [R1]

COMMON ORDER

These writ petitions have been filed challenging the order passed by the Registrar, Anna University dated 28.07.2025, thereby, restricted the extension of the petitioners' service till 31.08.2025.

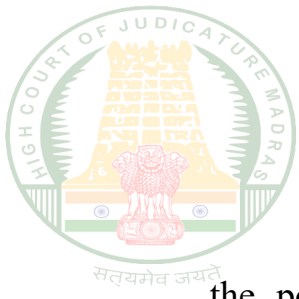
2. The petitioners are qualified to be appointed as teaching fellows as per the notification issued by the 2nd respondent dated 20.06.2011. The petitioners had joined as teaching fellows in the 2nd respondent college. The 2nd respondent college is a constituent college of 1st respondent.



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Similar to the second respondent, several other colleges were established at the regional level by the Registrar, Anna University by independent enactments. In the year 2011, a policy decision was taken to merge all those colleges and regional Universities and bring them under one umbrella i.e., the Registrar, Anna University, Chennai by the Tamil Nadu University Laws(Amendment and Repeal) Act, 2011 (Act 20 of 2011). It provides for way and means of accommodating the then existing staff and the assets and liabilities of the merged Universities. Thereafter, the Government constituted a meeting to oversee the merger process. The committee made several recommendations pertaining to the staff engaged on adhoc basis. Accordingly, the service of the persons currently engaged on adhoc basis in the constituent college will have to be specifically reviewed by the Registrar, Anna University and their services have to be utilised, where their services are genuinely required and their engagements fulfils the relevant University regulations.

3. In the process of regularisation of adhoc appointees, if the adhoc appointees fulfil all requirements under the 1st respondent, they may be considered for regularisation. However, the said recommendations were not given effect.



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4. The respondents issued notification calling for appointment to the post of temporary visiting faculty/teaching fellow in the second respondent college in various Departments. The petitioners submitted applications and they were directed to appear for screening test and interview. They were selected and appointed as teaching fellows in their respective departments. In fact, they were selected by the Selection Committee through the selection process as prescribed by the University Grants Commission and All India Council for Technical Education and as that of regular Assistant Professor post.

5. Though the petitioners were selected as teaching fellows, they were performing the job of Assistant Professor, in all aspects. They have also performed the duties of examination hall supervisor, correction of answer papers of students, external examiner for practical examinations, Anna University examination representative, University question paper key setting and projects and viva-voce examinations for the students. Further, there has been no regular appointment to the post of Assistant Professor for the past 15 years. All the colleges are running with the teaching fellows on payment of consolidated salary of Rs.30,000/-. The pay scale applicable to regularly appointed Assistant Professor has been revised as per 7th Pay Commission recommendations and the minimum of

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the time scale of pay to the post of Assistant Professor is Rs.57,700/-

along with House Rent Allowance at Rs.13,848/- and Dearness allowance at Rs.26,542/-. Therefore, the petitioners are treated as visiting faculties/teaching fellows on payment of consolidated salary.

6. Some of the teaching fellows filed writ petitions before this Court. This Court, by an order dated 09.11.2020 in W.P.Nos.24819 of 2018 & batch, has directed the Anna University to absorb the petitioners therein in service as temporary Assistant Professors till the regular recruitment takes place. Aggrieved by the same, the University preferred writ appeal. The Hon'ble Division Bench of this Court by way of an interim order directed the Anna University to proceed with the recruitment giving weightage to the incumbent teaching fellows. Based on the interim order, the Anna University issued notification dated 24.11.2023 to fill up the vacancies of Assistant Professor in its constituent colleges.

7. The petitioners had applied for the same and were selected by the appropriate selection committee as teaching fellows. Therefore, the Division Bench, in the batch of writ appeals in W.A.Nos.898 of 2021 & batch, by an order dated 01.04.2025, has held that there was proper

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recruitment notification by Anna University and the petitioners therein

were selected by the selection committee as teaching fellows and they are entitled for absorption.

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8. Aggrieved by the order passed by the Division Bench, the Anna University filed an appeal before the Hon'ble Supreme Court, where the Hon'ble Supreme Court upheld the order passed by the Division Bench regularizing the services of the teaching fellows therein in SLP.Nos.17339 to 17342 of 2025. However, without regularising the petitioners in the post of Assistant Professor by absorption in their respective departments, the Registrar of Anna University extended their service till 31.08.2025. The petitioners herein are also standing on the same footing, and they are entitled to the same relief as held by the Hon'ble Supreme Court of India, as the order of the Court is not *in personam* and all similarly placed candidates need not approach the Court.

9. The learned counsel for the respondents submitted that there are 13 University College of Engineering and 3 regional campuses functioning as constituent colleges of Anna University established by the Government of India with an intention to promote technical education among the economically weaker sections of society in Tamil Nadu.



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10. The learned counsel for the respondents submits that the petitioners were appointed purely on temporary basis as teaching fellows or visiting faculties with explicit terms and conditions specified in their appointment orders. Accordingly, they were appointed for a period of six months on consolidated salary. Their assignment does not confer any right or privilege for regular or tenure appointment in the University. Their assignments are purely temporary and it is liable to be terminated at any point of time. Thereafter, their tenures were periodically extended from time to time.

11. By the order impugned in these writ petitions, the petitioners' services were also extended till 31.08.2025 and it does not mean that their services will be made permanent from the date of their initial appointment, they were appointed only for a period of six months and thereafter continuously their services were extended till 31.08.2025. Therefore, they ought not to have challenged the order of extension, since their services might be extended in the future as well till the appointment of the Assistant Professors in the regular vacancies.



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12. Further, they were appointed to handle teaching for students as a stop gap arrangement that too on temporary basis. Their appointment were not through due selection process as required by the relevant rules and norms laid down by All India Council for Technical Education.

13. The procedure of temporary selection of teaching fellows is entirely different from the selection process prescribed for direct recruitment under the Anna University Act and Service Statutes of the Anna University. In fact, notification was issued by the Regional Director or Dean of the Campus in the University website, therefore, their selection was not in consonance with the selection process prescribed under the Anna University Act. They were appointed on need basis and the reservation policy applicable to regular appointment process was not followed. Therefore, their appointment cannot be regularized by absorption. Therefore, any kind of regularisation for the temporary appointment violates the reservation roster and offends Articles 14 and 16 of the Constitution of India. Though the respondents were making endeavour to fill up the regular vacancies, the petitioners filed several writ petitions and got stay order and stalled the entire selection process of

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regular appointments. Therefore, they are not entitled to be absorbed as Assistant Professors in the respective department.

14. In order to safeguard the careers and future prospects of the students, the University had resorted to fill the teaching faculty post through temporary appointments of teaching fellow/visiting faculty until the sanctioned posts are filled up. He also relied upon the Government Order passed in G.O.Ms.No.74, Personnel and Administrative Reforms Department, dated 27.06.2013, which directs not to regularize the service of the adhoc employees currently employed in the regional Universities and constituent colleges of Anna University.

15. Similarly, another order has also been passed by the Government issuing guidelines for regularization in G.O.Ms.No.131, Personnel and Administrative Reforms (F) Department, dated 28.11.2020.

16. Further, the fact that the petitioners are continuing as casual employees on temporary basis, does not confer any right for regularisation on permanent basis. Therefore, the petitioners are not entitled for absorption and regularisation. Hence, the respondents counsel prayed for dismissal of these writ petitions.

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17. Heard the learned counsel appearing on both sides and have perused the material available on record.

18. The petitioners were appointed on various dates in various departments as teaching fellows/visiting faculty between 2010 and 2014. They were selected based on an appropriate selection process including interview. Their appointments were duly rectified by the Anna University and their services were continuously extended from time to time from the date of their initial appointments. That apart, they were selected in the sanctioned posts and their appointments were made on temporary adhoc basis, however, the petitioners have been performing their duties on par with the Assistant Professors.

19. The Registrar, Anna University had appointed similarly placed teaching fellows/visiting faculty and regularised their services as Assistant Professor by resolution No.192.34, insofar as 97 temporary teaching faculty in the year 2006 and 2007.

20. In W.P.No.24819 of 2018 & etc., batch, dated 09.11.2020, this Court held that the services put in by the petitioners for several years,

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even though is contractual in nature, has a lot of significance and with regard to filling up of the vacant posts of Assistant Professor, the petitioners satisfied the minimum qualification for direct recruitment for the same. The nature of duties performed by them and their functions as instructors to certify the Institutes for affiliation, their research paper publications etc., clearly show that they have been performing the functions of a regularly appointed Assistant Professors and finally, directed the Anna University to engage the petitioners as temporary Assistant Professors until the regular recruitment is completed and the vacant posts are filled up. At the time of filling up the post on regular basis, the Registrar, Anna University was directed to follow the observations made in paragraph 49 in W.P.(MD)No.24819 of 2018 dated 09.11.2020. Paragraph 49 reads as follows:

“49. When it comes to the question of Regularization of service as Assistant Professor which is claimed by the petitioners, this Court is not inclined to grant this relief. Where the temporary or ad hoc appointment is continued for a long time, the Court presumes that there is need and warrant for a regular post and accordingly considers regularization. But, there is no rule of thumb in such matters. The Court will have to look into the relevant facts and circumstances of a given case before ordering for regularization of service. In the present case, the issue of



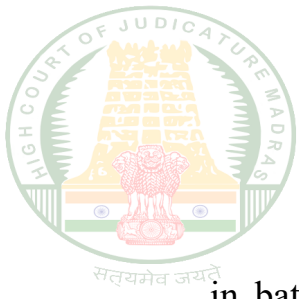
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regularization will not be confined only to the petitioners and it involves nearly 310 temporary teaching fellows whose services are utilized by the respondent University. Therefore, mechanically ordering for regularization will have a cascading effect on the cadre strength, policy of reservation and financial implications. The petitioners have the distinct advantage under the UGC Regulations and AICTE Regulations for counting their past services at the time of direct/regular recruitment. The petitioners have all the qualifications and they have been appointed by a properly Constituted Committee and therefore they can be accommodated in the vacant posts as and when the regular appointment takes place. It is only during the regular appointment, the cadre strength is fixed as per the requirements and the funds allocated by the Finance Committee and it will be even more easier and proper to accommodate the petitioners while carrying out the process of regular appointments.”

21. This Court further directed the Anna University to engage the petitioners' services as Assistant Professors in the respective departments and shall pay the monthly gross salary of a regularly appointed Assistant Professor.



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22. Aggrieved by the same, the Anna University preferred appeals

in batch of writ appeals in W.A.Nos. 898 of 2021 & etc., batch. This Court dismissed the appeal by an order dated 01.04.2025. Further, it is also relevant to extract paragraph Nos.46 to 48 in the batch of W.As is as follows:

“34. In paragraphs 46 to 48 learned Single Judge has justified the conclusion that parity of pay must be accorded in the following terms:-

46.The next issue that has to be taken into consideration is with regard to the pay that has to be made to the Petitioners by the Respondent University. Both the UGC Regulations as well as the AICTE Regulations makes it very clear that even in case of ad hoc or temporary service, the emoluments paid to such contract teachers should not be less than the monthly gross salary of a regularly appointed Assistant Professor. The Anna University gave scant regard to these Regulations and continued with the practice of consolidated pay to the Petitioners which was nowhere near the actual pay made to a regularly appointed Assistant Professor. It is again reiterated that the Petitioners even though were called as Teaching Fellows, were actually performing the duties of an Assistant Professor with all qualifications. Therefore, they should have been paid the emoluments on par with the monthly gross salary of a regularly appointed Assistant



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Professor.

47. It is also important to take note of the judgment of the Hon'ble Supreme Court in State of Punjab and Others v. Jagjit Singh and Others reported in (2017) 1 SCC 148. The relevant portions of the judgment are extracted hereunder:

42. All the judgments noticed in paras 7 to 24 herein above, pertain to employees engaged on regular basis, who were claiming higher wages, under the principle of “equal pay for equal work”. The claim raised by such employees was premised on the ground, that the duties and responsibilities rendered by them were against the same post for which a higher pay scale was being allowed in other government departments. Or alternatively, their duties and responsibilities were the same as of other posts with different designations, but they were placed in a lower scale. Having been painstakingly taken through the parameters laid down by this Court, wherein the principle of “equal pay for equal work” was invoked and considered, it would be just and appropriate to delineate the parameters laid down by this Court. In recording the said parameters, we have also adverted to some other judgments pertaining to temporary employees (also dealt with, in the instant judgment), wherein also, this Court had the occasion to express the legal position with reference to the principle of “equal pay for equal work”. Our consideration, has led us to the following deductions:

42.1. The “onus of proof” of parity in the duties and responsibilities of the subject post with the reference post under the principle of “equal pay for equal work” lies on the person



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who claims it. He who approaches the court has to establish that the subject post occupied by him requires him to discharge equal work of equal value, as the reference post (see Orissa University of Agriculture & Technology case [Orissa University of Agriculture & Technology v. Manoj K. Mohanty, (2003) 5 SCC 188 : 2003 SCC (L&S) 645] , UT Chandigarh, Admn. v. Manju Mathur [U.T. Chandigarh, Admn. v. Manju Mathur, (2011) 2 SCC 452 : (2011) 1 SCC (L&S) 348] , SAIL case [SAIL v. Dibyendu Bhattacharya, (2011) 11 SCC 122 : (2011) 2 SCC (L&S) 192] and National Aluminium Co. Ltd. case [National Aluminium Co. Ltd. v. Ananta Kishore Rout, (2014) 6 SCC 756 : (2014) 2 SCC (L&S) 353]).

42.2. The mere fact that the subject post occupied by the claimant is in a “different department” vis-à-vis the reference post does not have any bearing on the determination of a claim under the principle of “equal pay for equal work”. Persons discharging identical duties cannot be treated differently in the matter of their pay, merely because they belong to different departments of the Government (see Randhir Singh case [Randhir Singh v. Union of India, (1982) 1 SCC 618 : 1982 SCC (L&S) 119] and D.S. Nakara case [D.S. Nakara v. Union of India, (1983) 1 SCC 305 : 1983 SCC (L&S) 145]).

42.3. The principle of “equal pay for equal work”, applies to cases of unequal scales of pay, based on no classification or irrational classification (see Randhir Singh case [Randhir Singh v. Union of India, (1982) 1 SCC



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618 : 1982 SCC (L&S) 119]). For equal pay, the employees concerned with whom equation is sought, should be performing work, which besides being functionally equal, should be of the same quality and sensitivity (see *Federation of All India Customs and Central Excise Stenographers case [Federation of All India Customs and Central Excise Stenographers v. Union of India, (1988) 3 SCC 91 : 1988 SCC (L&S) 673]* , *Mewa Ram Kanojia case [Mewa Ram Kanojia v. All India Institute of Medical Sciences, (1989) 2 SCC 235 : 1989 SCC (L&S) 329]* , *Grih Kalyan Kendra Workers' Union case [Grih Kalyan Kendra Workers' Union v. Union of India, (1991) 1 SCC 619 : 1991 SCC (L&S) 621]* and *S.C. Chandra case [S.C. Chandra v. State of Jharkhand, (2007) 8 SCC 279 : (2007) 2 SCC (L&S) 897 : 2 SCEC 943]*).

42.4. Persons holding the same rank/designation (in different departments), but having dissimilar powers, duties and responsibilities, can be placed in different scales of pay and cannot claim the benefit of the principle of “equal pay for equal work” (see *Randhir Singh case [Randhir Singh v. Union of India, (1982) 1 SCC 618 : 1982 SCC (L&S) 119]* , *State of Haryana v. Haryana Civil Secretariat Personal Staff Assn. [State of Haryana v. Haryana Civil Secretariat Personal Staff Assn., (2002) 6 SCC 72 : 2002 SCC (L&S) 822]* and *Hukum Chand Gupta case [Hukum Chand Gupta v. ICAR, (2012) 12 SCC 666 : (2013) 3 SCC (L&S) 493]*). Therefore, the principle would not be automatically



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invoked merely because the subject and reference posts have the same nomenclature.

42.5. *In determining equality of functions and responsibilities under the principle of “equal pay for equal work”, it is necessary to keep in mind that the duties of the two posts should be of equal sensitivity, and also, qualitatively similar. Differentiation of pay scales for posts with difference in degree of responsibility, reliability and confidentiality, would fall within the realm of valid classification, and therefore, pay differentiation would be legitimate and permissible (see Federation of All India Customs and Central Excise Stenographers case [Federation of All India Customs and Central Excise Stenographers v. Union of India, (1988) 3 SCC 91 : 1988 SCC (L&S) 673] and SBI case [SBI v. M.R. Ganesh Babu, (2002) 4 SCC 556 : 2002 SCC (L&S) 568]). The nature of work of the subject post should be the same and not less onerous than the reference post. Even the volume of work should be the same. And so also, the level of responsibility. If these parameters are not met, parity cannot be claimed under the principle of “equal pay for equal work” (see State of U.P. v. J.P. Chaurasia [State of U.P. v. J.P. Chaurasia, (1989) 1 SCC 121 : 1989 SCC (L&S) 71] and Grih Kalyan Kendra Workers' Union case [Grih Kalyan Kendra Workers' Union v. Union of India, (1991) 1 SCC 619 : 1991 SCC (L&S) 621]).*

42.6. *For placement in a regular pay scale, the*



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claimant has to be a regular appointee. The claimant should have been selected on the basis of a regular process of recruitment. An employee appointed on a temporary basis cannot claim to be placed in the regular pay scale (see Orissa University of Agriculture & Technology case [Orissa University of Agriculture & Technology v. Manoj K. Mohanty, (2003) 5 SCC 188 : 2003 SCC (L&S) 645]).

42.7. Persons performing the same or similar functions, duties and responsibilities, can also be placed in different pay scales. Such as — “selection grade”, in the same post. But this difference must emerge out of a legitimate foundation, such as — merit, or seniority, or some other relevant criteria (see State of U.P. v. J.P. Chaurasia [State of U.P. v. J.P. Chaurasia, (1989) 1 SCC 121 : 1989 SCC (L&S) 71]).

42.8. If the qualifications for recruitment to the subject post vis-à-vis the reference post are different, it may be difficult to conclude that the duties and responsibilities of the posts are qualitatively similar or comparable (see Mewa Ram Kanojia case [Mewa Ram Kanojia v. All India Institute of Medical Sciences, (1989) 2 SCC 235 : 1989 SCC (L&S) 329] and State of W.B. v. Tarun K. Roy [State of W.B. v. Tarun K. Roy, (2004) 1 SCC 347 : 2004 SCC (L&S) 225]). In such a case the principle of “equal pay for equal work” cannot be invoked.

42.9. The reference post with which parity is claimed under the principle of “equal pay for equal work” has to



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be at the same hierarchy in the service as the subject post. Pay scales of posts may be different, if the hierarchy of the posts in question, and their channels of promotion, are different. Even if the duties and responsibilities are same, parity would not be permissible, as against a superior post, such as a promotional post (see Union of India v. Pradip Kumar Dey [Union of India v. Pradip Kumar Dey, (2000) 8 SCC 580 : 2001 SCC (L&S) 56] and Hukum Chand Gupta case [Hukum Chand Gupta v. ICAR, (2012) 12 SCC 666 : (2013) 3 SCC (L&S) 493]).

42.10. A comparison between the subject post and the reference post under the principle of “equal pay for equal work” cannot be made where the subject post and the reference post are in different establishments, having a different management. Or even, where the establishments are in different geographical locations, though owned by the same master (see Harbans Lal case [Harbans Lal v. State of H.P., (1989) 4 SCC 459 : 1990 SCC (L&S) 71]). Persons engaged differently, and being paid out of different funds, would not be entitled to pay parity (see Official Liquidator v. Dayanand [Official Liquidator v. Dayanand, (2008) 10 SCC 1 : (2009) 1 SCC (L&S) 943]).

42.11. Different pay scales, in certain eventualities, would be permissible even for posts clubbed together at the same hierarchy in the cadre. As for instance, if the duties and responsibilities of one of the posts are more onerous, or are exposed to higher nature of operational work/risk,



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the principle of “equal pay for equal work” would not be applicable. And also when the reference post includes the responsibility to take crucial decisions, and that is not so for the subject post (see SBI case [SBI v. M.R. Ganesh Babu, (2002) 4 SCC 556 : 2002 SCC (L&S) 568]).

42.12. The priority given to different types of posts under the prevailing policies of the Government can also be a relevant factor for placing different posts under different pay scales. Herein also, the principle of “equal pay for equal work” would not be applicable (see State of Haryana v. Haryana Civil Secretariat Personal Staff Assn. [State of Haryana v. Haryana Civil Secretariat Personal Staff Assn., (2002) 6 SCC 72 : 2002 SCC (L&S) 822]).

42.13. The parity in pay, under the principle of “equal pay for equal work”, cannot be claimed merely on the ground that at an earlier point of time the subject post and the reference post, were placed in the same pay scale. The principle of “equal pay for equal work” is applicable only when it is shown, that the incumbents of the subject post and the reference post, discharge similar duties and responsibilities (see State of W.B. v. Minimum Wages Inspectors Assn. [State of W.B. v. W.B. Minimum Wages Inspectors Assn., (2010) 5 SCC 225 : (2010) 2 SCC (L&S) 1])

42.14. For parity in pay scales under the principle of “equal pay for equal work”, equation in the nature of duties is of paramount importance. If the principal nature of duties of one



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post is teaching, whereas that of the other is non-teaching, the principle would not be applicable. If the dominant nature of duties of one post is of control and management, whereas the subject post has no such duties, the principle would not be applicable. Likewise, if the central nature of duties of one post is of quality control, whereas the subject post has minimal duties of quality control, the principle would not be applicable (see U.T. Chandigarh, Admn. v. Manju Mathur [U.T. Chandigarh, Admn. v. Manju Mathur, (2011) 2 SCC 452 : (2011) 1 SCC (L&S) 348]).

42.15. There can be a valid classification in the matter of pay scales between employees even holding posts with the same nomenclature i.e. between those discharging duties at the headquarters, and others working at the institutional/sub-office level (see Hukum Chand Gupta case [Hukum Chand Gupta v. ICAR, (2012) 12 SCC 666 : (2013) 3 SCC (L&S) 493]), when the duties are qualitatively dissimilar.

42.16. The principle of “equal pay for equal work” would not be applicable, where a differential higher pay scale is extended to persons discharging the same duties and holding the same designation, with the objective of ameliorating stagnation, or on account of lack of promotional avenues (see Hukum Chand Gupta case [Hukum Chand Gupta v. ICAR, (2012) 12 SCC 666 : (2013) 3 SCC (L&S) 493]).

42.17. Where there is no comparison between one set of employees of one organisation, and another set of employees of a different organisation, there can be no question of equation of pay scales under the principle of “equal pay for equal work”,



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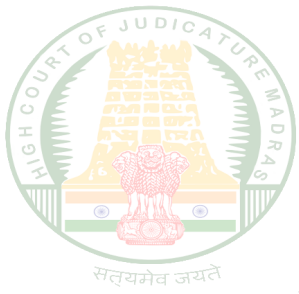
even if two organisations have a common employer. Likewise, if the management and control of two organisations is with different entities which are independent of one another, the principle of “equal pay for equal work” would not apply (see S.C. Chandra case [S.C. Chandra v. State of Jharkhand, (2007) 8 SCC 279 : (2007) 2 SCC (L&S) 897 : 2 SCEC 943] and National Aluminium Co. Ltd. case [National Aluminium Co. Ltd. v. Ananta Kishore Rout, (2014) 6 SCC 756 : (2014) 2 SCC (L&S) 353]).

48.It is clear from the above judgment that the Petitioners are entitled for the same pay as stipulated in the Regulations for performance of their duty on par with the regularly appointed Assistant Professors.”

23. Thus, it is clear that the petitioners are also entitled for the same pay as stipulated in the regulation for performance of their duties on par with regularly appointed Assistant Professors.

24. In fact the orders passed by the Division Bench were also confirmed by the Hon’ble Supreme Court in SLP.Nos.17339 to 17342 of 2025 by an order dated 25.07.2025. The Hon’ble Supreme Court with some modification disposed the SLPs. The modification order is as follows:

“6. After hearing learned senior counsel appearing on behalf of both the sides, it is seen from the record that



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out of all the writ petitions filed praying for regularisation, five Teaching Fellows, namely, T.R.Kannan, Mr.N.Subash, Mr.E.Raja Sherin, Mr.A.Krishna Prakash and Ms.N.Bathlin Nelmin were granted regularisation. Their case for regularisation be considered and appropriate orders as directed be passed within eight weeks from today. It is made clear that the benefit of regularisation shall accrue from the date of the order of the Single Judge, i.e., 09.11.2020, though the consequential benefits shall follow notionally.

7. So far as the direction for grant of monthly gross salary of a regular Assistant Professor to the Teaching Fellows is concerned, with respect to the respondents, it will suffice to observe that the said benefit would be applicable in terms of the directions as issued by the learned Single Judge vide order dated 09.11.2020 from the said date. The arrears of difference in salary, if any, be paid to them within four months.

8. With the aforesaid modification and clarification, all the appeals stand disposed of pending application(s), if any, shall stand disposed of.”

25. The issue in these writ petitions and the issues dealt with by this Court are one and the same, therefore, the petitioners are also entitled for the same directions.

26. In view of the above, the Registrar, Anna University is directed to engage the petitioners as Assistant Professors and treat the petitioners

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as temporary Assistant Professors with effect from the date on which, their services expired in their respective posts until the regular recruitment is completed and vacant posts are filled up.

27. At the time of filling up all the respective posts on a regular basis, the directions issued in the batch of writ petitions in the order passed in W.P.(MD).No.24819 of 2018 in paragraph No.49 shall be followed scrupulously. The respondents are directed to pay monthly gross salary of a regularly appointed Assistant Professors to the petitioners from the date of their service as Assistant Professors.

28. With these directions, all the writ petitions are allowed. No costs. Connected miscellaneous petitions are closed.

19.11.2025

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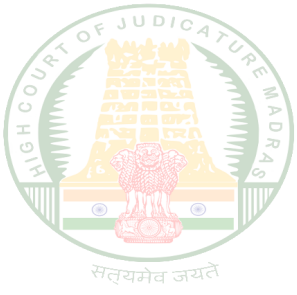
Index: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

Note: Registry is directed to incorporate cause titles for all the cases and issue order copy.

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W.P.Nos.32478 of 2024 & etc., batch

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G.K.ILANTHIRAIYAN, J.

The matter is listed today under the caption 'for being mentioned' in the Chamber, at the instance of the learned counsel for the petitioner.

2.Heard the learned counsel appearing on either side.

3.No further order is required in these Writ Petitions.

However, the petitioners are at liberty to file a petition for clarification regarding the order dated 19.11.2025. It is also clarified that the petitioners may file a single petition for all the writ petitions in the batch concerning the order dated 19.11.2025.

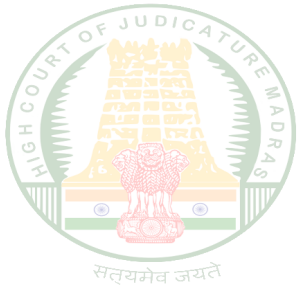
08.01.2026

ps

To

1. The Registrar,
Anna University,
Sardar Patel Road,
Chennai - 600 025.

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G.K.ILANTHIRAIYAN, J.

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19.11.2025