



W.P.No.12019 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Reserved on : 09.02.2026

Pronounced on : 13.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

**W.P.No.12019 of 2021
and WMP.No.12786 of 2021**

S.Seenivasan

... Petitioner

vs

1.State of Tamil Nadu
Rep by its Secretary
Higher Education Departmental
Fort St.George, Chennai – 9.

2.The Registrar
Anna University,
No.12, Sardar Patel Road
Guindy, Chennai – 600 025.

3.The Chairman
All India Council for Technical Education
New Delhi, Nelson Mandela Marg
Vasant Kunj, New Delhi – 11070

4.The Regional Director
All India Council for Technical Education
Shastri Bhavan, 26 Haddows Road,
Nungambakkam, Chennai – 600 006.

5.The Secretary
Misrimal Navajee Munoth Jain Engineering College
Thuraipakkam



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Chennai – 600 097

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6.Dr.Christoper
The Principal
Misrimal Navajee Munoth Jain Engineering College
Thuraipakkam
Chennai – 600 097.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Quo Warranto directing the 6th respondent to show cause by what authority he claims to hold the post of the Principal, Misrimal Navajee Munoth Jain Engineering College, Thuraipakkam, Chennai – 600097 and consequently remove the 6th respondent from the post.

For Petitioner : Mr.J.Antony Jesus.
For Respondents : Mr.Vadivelu Deenadayalan, AGP for R1.
Mr.Avinash Wadhwani for R2.
Mr.B.Rabu Manohar, SSC for R3 & R4.
Mr.C.Johnson for R5 & R6.

ORDER

Heard the learned counsel for the petitioner, learned Additional Government Pleader for R1, learned counsel appearing for R2, learned standing counsel for R3 and R4 and the learned counsel for R5 and R6 and perused the record.

2. The petitioner by the present writ petition has assailed the action of the 5th respondent in appointing the 6th respondent as Principal of the 5th respondent



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college and seeks for issuance of writ of quo-warranto directing the 6th respondent
WEB COPY to show cause as to under what authority he is holding the post of Principal of the
5th respondent college, with a consequential direction to remove him from the post
of Principal of the 5th respondent college.

3. Briefly put the case of the petitioner is that he had worked as Campus Supervisor of the 5th respondent college for 9 years and opted for voluntary retirement on 01.11.2000; and having worked in the said college for long years and having rich experience in working other college he has concern for engineering education and welfare of teaching and other faculties of the 5th respondent college.

4. The petitioner further contended that the 5th respondent appointed the 6th respondent as its Principal in the year 2014; that during inspection caused by the 2nd respondent in the year 2017, it was found that the 6th respondent was ineligible to hold the post of Principal and accordingly the 2nd respondent had issued deficiency report / show cause notice to the 5th respondent in letter dated 21.04.2017; and that thereafter the 6th respondent was expelled from the post of Principal of the 5th respondent college.



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5. The petitioner further contended that the 5th respondent having **WEB COPY** expelled the 6th respondent from the post of principal, had once again appointed him as its Principal in the year 2019, despite of the 6th respondent not possessing the requisite qualification as per All India Council for Technical Education (herein after referred to as “AICTE”) guidelines; that the 6th respondent is only a graduate and Post Graduate in Science and claims to have obtained M.Tech degree without completing the Under Graduate degree in Engineering; and that the doctoral decree is also in Chemistry and not in any Engineering stream for him to claim as eligible to hold the post of Principal.

6. It is further case of the petitioner that as per AICTE regulations, in order to be a Principal of an Engineering college, one should possess qualification of Under Graduate, Post Graduate and Ph.D in Engineering stream and in as much as the 6th respondent does not possess the said qualification, the 5th respondent could not have appointed him as its Principal having removed it from the said post after the 2nd respondent raising a deficiency report / show cause notice during April 2017.

7. It is the further contention of the petitioner that the 6th respondent not



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only lacks the requisite educational qualification to hold the post of Principal, but WEB COPY also lacks experience; that in his employment, he has worked only as Assistant Professor and not as Professor, that to in basic science department and not in any Engineering branch of studies; that on account of lack of educational qualification, the 6th respondent could not conduct faculty meeting effectively as he did not possess sufficient knowledge in Engineering to interact with other faculty members; that with insufficient knowledge he interacts with other faculty in teaching methods causing frustration among the teaching staff; that he and others have brought the aforesaid matter to the knowledge of college management; that inspite of the same, the 5th respondent is not taking any action to correct the mistake and are running the 5th respondent college with a person as Principal having no qualification in terms of both education and experience.

8. It is also contended by the petitioner that he has sent a representation dated 23.02.2021 to the respondents requesting to direct the 5th respondent college to appoint a person with requisite qualification as Principal and inspite of the directions of Directorate of Technical Education, Chennai issuing a letter dated 11.03.2021 to the 2nd respondent to take action on the petitioner's representation, no action has been taken thereon. Hence, the present writ petition.



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WEB COPY 9. Counter affidavit on behalf of the 5th respondent is filed.

10. The respondent by the counter affidavit while denying the writ averments contended that the petitioner was no way connected with the academic and was appointed to supervise and assigned the job of supervising the gardeners, scavengers and sweepers, and as such cannot claims of he being concerned with Engineering Education and Welfare of teaching other faculties.

11. The respondents further contended that the petitioner was allowed to retire from the post of Supervisor in the year 2020, inspite of his misdoings while in service, by accepting the apology tendered by him, as and when he was found short of his duties; that the petitioner is having grudge against the 5th respondent college and 6th respondent; and thus, has filed the present writ petition.

12. It is also contended by the respondent that though the petitioner claims of having concern for Engineering Education and teaching faculty, none of the faculty members or the students who sought admission into 5th respondent



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college, have questioned the appointment of the 6th respondent as Principal of the 5th respondent college or that there is any complaint of he not being able to interact with the faculty, due to lack of knowledge or experience.

13. The respondents by the counter affidavit further contended that the 6th respondent is fully qualified in terms of the AICTE guidelines Regulations and 2nd respondent / Anna University norms to hold to post of Principal of Engineering college; that the 5th respondent was appointed to the said post after thoroughly evaluating his educational qualification and experience during the academic year 2015-2016; that the 6th respondent was serving as Principal in other Engineering Colleges prior to being appointed as Principal of the 5th respondent college in the academic year 2014-2015; that the querry raised by the 2nd respondent inspection committee with reference to educational qualification of the 6th respondent during the year 2017 was clarified to the 2nd respondent satisfaction; and that it is only thereafter the 3rd respondent had accorded its approval for the appointment of the 6th respondent as Principal of the 5th respondent college.



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14. By the counter affidavit it is also contended that the petitioner has no

WEB COPY locus standi to maintain the present writ petition as he is not an aggrieved person

and has filed the present writ petition due to personal vendetta and ill will and aversion against the 5th respondent institution.

15. The 5th respondent by the counter affidavit contended that the petitioner cannot seek for issuance of writ of quo-warranto as the 5th respondent college is a self financing college, not drawing any grant, either educational or maintenance from the Government of Tamil Nadu or from the Union of India; and that the post of Principal is neither substantive nor independent position and the same is terminable at the discretion of the Management committee, as such no writ of quo-warantto can be issued directing the 6th respondent to show cause notice. Contending as above, the respondents seek for dismissal of the writ petition in limine with cost.

16. I have taken note of the respective contentions urged.

17. At the outset it is to be noted that though the petitioner claims



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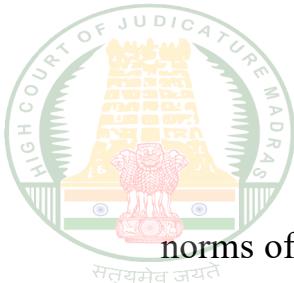
himself as a person interested in Engineering Education and welfare of teaching and
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WEB COPY other faculty he did not disclose his educational qualification in the writ affidavit,

for this Court to accept that he having found the 6th respondent lacking in educational qualification and experience as claimed. Admittedly, the petitioner is neither a student nor a teaching faculty of the 5th respondent college. On the other hand the petitioner is a supervisor, supervising the work of Scavengers, Gardeners and Sweepers and thus cannot claim himself being an aggrieved party.

18. It is also to be noted that if only the petitioner is interested in Engineering Education by ensuring the standard or guidelines set by the AICTE and Anna University (i.e) 2nd and 3rd respondents are being thrown to wind, thereby affecting the larger community of students undergoing the Engineering Education, and the petitioner being a public spirited person concerned about the falling education standards, he ought to have approached this Court by way of public interest litigation (PIL) and not by way of writ petition of the present nature i.e., seeking issuance of writ of Quo-warranto claiming it as a service dispute.

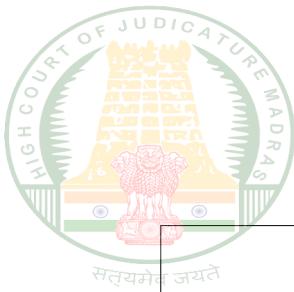
19. Though, on behalf of the petitioner it is contended that as per the



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norms of AICTE regulations/3rd respondent and Anna University/2nd respondent, to which the 5th respondent college is affiliated, requires, a person in order to be appointed to the post of Principal should have qualification of B.E/ B.Tech and M.E/M.Tech in relevant branch with first class or equivalent either in B.E/B.Tech or any M.E/M.Tech with post Ph.D publication and guiding Ph.D graduates is highly desirable with work experience of minimum of 10 years experience in teaching / research / industry, out of which at least three years shall be at the level of HOD or equivalent, it is to be noted that the norms as issued by the 2nd respondent with heading “faculty” recruitment in affiliated colleges appointed on or after 01.03.2019, adopts the norms specified by AICTE vide its regulations dated 13.03.2010. The 13.03.2010 regulations of AICTE are issued under notification dated 05.03.2010 and is gazetted on 13.03.2010.

20. As per the said regulations of AICTE guidelines gazetted on 13.03.2010, the educational qualification and experience for being appointed to the post of Principal is stated as under :-



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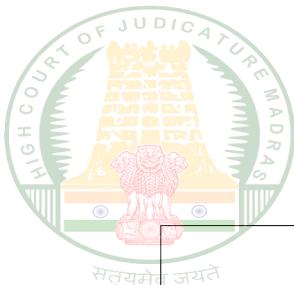
Principal

<i>Qualification - as above for the post of HOD & Ph.D in Engineering or qualification as above for the post of HOD</i>	<i>Experience - Minimum of 10 years, relevant experience in teaching / research / industry out of which atleast three years shall be at the level of HOD or equivalent in case of Architect, Professional practice of 10 years as certified by the council of Architecture shall also be considered as valid.</i>
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Since, the qualification for being appointed as Principal, is mentioned same as qualification for the post of HOD, it is necessary to refer to qualification prescribed for being appointed as HOD and the same reads as under :-

<i>HOD</i>	<i>Engineering / Technology qualification – Bachelors and Master decree of appropriate branch in Engineering / Technology with first class or equivalent either Bachelors or Masters level or Bachelors degree and Masters degree of appropriate branch in engineering / technology with first class or equivalent either Bachelors or master level and Ph.D or equivalent, in appropriate discipline in Engineering / Technology</i>	<i>-----</i>
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The norms for faculty recruitment affiliated qualification as issued by the 2nd respondent / Anna University, insofar as the Engineering and Technology adopting AICTE gazette notification dated 13.03.2010 prescribes the qualification and experience as under :



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Principal	<p><i>Qualification as above i.e., for the post of Professor as applicable.</i></p> <p><i>Post Ph.D qualification and guiding Ph.D students is highly desirable.</i></p> <p><i>In cases of research experience, good academic record and books / research paper publications/ patents record shall be required as deemed fit by the expert members of the Selection Committee.</i></p>	<p><i>Experience minimum of 10 years experience in teaching / research / industry out of which at least three years shall be at the level of Professor or minimum 13 years experience in teaching and or research and or industry.</i></p> <p><i>If the experience in Industry is considered the same shall be at managerial level equivalent to Professor level with active participation record in devising / designing, developing, planning, executing, analyzing, quality control, innovating training, technical books / research paper publications / IPR / patents etc as deemed fit by the expert members of the Selection Committee.</i></p> <p><i>Flair for management and Leadership is essential.</i></p>
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Since, the qualification prescribed refers to the qualification as that of Post of Professor; and that the qualification required for being appointed to the post of Professor refers to the qualification to that of Associate Professor; and that the qualification required for being appointed as Associate Professor refers to qualification as required for being appointed to the post of Assistant Professor, it is necessary to refer to the qualification required for being appointed as Assistant Professor which reads as under :-

Assistant Professor	<p><i>B.E. / B.Tech and M.E. / M.Tech in relevant branch with First Class or equivalent <u>either in B.E. / B.Tech or M.E / M.Tech</u></i></p>	---
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21. Though, the aforesaid norms as issued by the 2nd respondent makes a

WEB COPY reference that the same as per AICTE gazette notification dated 13.03.2010. It is

to be noted that the said norms are slightly in variance with reference to the position / post like Assistant Professor / Associate Professor.

22. Thus, taking note of the fact that AICTE regulations dated 05.03.2010 gazetted on 13.03.2010 prescribes that in order to appoint as a Principal one should have Bachelor and Master decree of appropriate branch in Engineering / Technology in first class **or equivalent either Bachelor or Master** level and Ph.D in Engineering and Technology, it is to be seen, whether the 6th respondent fulfills the said criteria or qualification as required for the post of HOD.

23. From the material papers filed by the petitioner along with writ petition, it is evident that the 6th respondent is possessing M.Tech in Material Technology and having secured Gold Medal from IIT – BHU (Banaras Hindu University) in the year 1991, which is one of the premier Central University set up in the year 1915 by Sri Madhan Mohan Malviya along with Annie Besant and Rameshwar Singh, the petitioner cannot feign ignorance of the 6th respondent



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acquiring M.Tech qualification from one of the premier institutes of the Country WEB COPY and also securing Gold Medal simply by stating that the 6th respondent claims to have obtained M.Tech degree.

24. Further, from the material papers itself, it would be evident that the 6th respondent having secured Ph.D (Doctor of Philosophy) in Material Science and Technology during the year 1998 from the same IIT – BHU from the faculty of Engineering and Technology, the 6th respondent fulfills the requirement of having a Master degree in Engineering with first class and also Ph.D in Engineering and Technology, thereby, meeting the required qualification criteria specified under AICTE regulations for being appointed to the post of Principal of an Engineering College.

25. Insofar as the claim of the petitioner that, the 6th respondent not having sufficient experience, it is to be noted that the 6th respondent before being appointed as Principal of the 5th respondent college, had worked as Senior Principal of an Engineering college during the period 2012-2014; as Principal and HOD of another Engineering College during the period 2008-2009 on deputation and also



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as Senior Professor, Professor of Kalasalingam University during the period from WEB 2002-2008 and 2009-2011. By taking into consideration the entire work experience of the 6th respondent from 1997 at various levels till initial appointment in 5th respondent college in 2014 and again in 2019 would go to show that the 6th respondent has got more than 25 years of experience and not a novice either to the subject or to the position.

26. Though it was sought to be contended that the 6th respondent without having B.E. / B.Tech degree could not have secured admission into M.Tech, thus casting a doubt on the Educational Qualification possessed by the 6th respondent, it is to be noted that in order to secure admission into premier institutes like BHU, one needs to write Graduate Aptitude Test in Engineering (GATE) and the said exam allows a candidate having Master's degree in Science to seek admission into M.Tech course based on the score secured. Thus, a lateral entry into Post Graduate Engineering program i.e, M.Tech is allowed having Master's and securing Gold Medal and thereafter also obtaining Ph.D., only goes to show it is the petitioner who lacks basic knowledge of Engineering Education and the institutions providing such education.

27. Though the petitioner claimed of he and other teachers having



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approached the 5th respondent and complained about the 6th respondent lack of
WEB COPY sufficient knowledge thereby not being able to interact with the faculty, no material
is placed before this Court to substantiate the said claim and thus, it is to be
construed that the said contention is only raised for the purpose of the present writ
petition so as to cause prejudice against the 6th respondent and thus is accordingly
rejected.

28. Thus, considered from any angle, the claim of the petitioner that the
6th respondent is ineligible to be appointed as Principal, appears to be a figment of
imagination, and the entire endeavor of the petitioner appears to be malafide .

29. It is settled law when such motivated and malicious writ petitions are
filed with ulterior objective, the Court should not only dismiss the writ petition but
also should visit the petitioner with cost for blocking the judicial hours from
dealing with the matters requiring judicial attention.

30. The Hon'ble Apex Court for filing frivolous litigations and dealing
with the aspect of imposition of costs in the follows cases held as under :-

*(i) Haryana Urban Development Authority and another V.
Jagdeep Singh – (2023) 14 SCC 122.*

*“15. For filing the present frivolous appeal, in our opinion, the
appellants deserve to be burdened with heavy cost. This Court had
deprecated the conduct of the litigants in flooding this Court with*



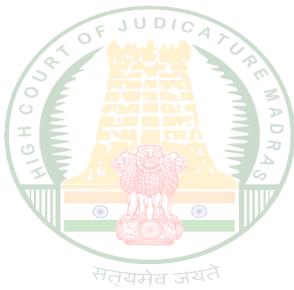
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*frivolous litigations, which are choking the dockets as a result of which the matters, which require consideration are delayed. Observations made in *Dnyandeo Sabaji Naik v. Pradnya Prakash Khadekar* : (2017) 3 SCC (Civ) 189] are extracted below :*

"13. This Court must view with disfavour any attempt by a litigant to abuse the process. The sanctity of the judicial process will be seriously eroded if such attempts are not dealt with firmly. A litigant who takes liberties with the truth or with the procedures of the Court should be left in no doubt about the consequences to follow. Others should not venture along the same path in the hope or on a misplaced expectation of judicial leniency. Exemplary costs are inevitable, and even necessary, in order to ensure that in litigation, as in the law which is practised in our country, there is no premium on the truth.

14. It is the duty of every court to firmly deal with such situations. The imposition of exemplary costs is a necessary instrument which has to be deployed to weed out, as well as to prevent the filing of frivolous cases. It is only then that the courts can set apart time to resolve genuine causes and answer the concerns of those who are in need of justice. Imposition of real time costs is also necessary to ensure that access to courts is available to citizens with genuine grievances. Otherwise, the doors would be shut to legitimate causes simply by the weight of undeserving cases which flood the system. Such a situation cannot be allowed to come to pass. Hence it is not merely a matter of discretion but a duty and



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obligation cast upon all courts to ensure that the legal system is not exploited by those who use the forms of the law to defeat or delay justice. We commend all courts to deal with frivolous filings in the same manner.”

(ii) Leelawati (dead) through L.R.s V. State of U.P. and others – 2025 SCC Online SC 612.

“9. It is necessary to observe that the proceedings in the Court of law are initiated for adjudication of disputes and to provide justice to the parties, by which trust and confidence of the litigants reposed on this great institution can be maintained. In case one of the parties misuse the said process or attempt to obtain an order by trick and strategem, the Courts would be justified in imposing the costs for igniting such vexatious litigation.....”

31. Accordingly, the writ petition is dismissed as frivolous and devoid of merits with exemplary cost of Rs.10,000/- payable by the petitioner to the credit of High Court Legal Services Committee, Chennai within a period of four weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

13.02.2026

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No



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T. VINOD KUMAR, J.

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Pre-delivery order made in
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13.02.2026.

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