

LOK BHAVAN TAMIL NADU – PRESS RELEASE

Constitution and Extension of Search Committees for Appointment of Vice-Chancellors of State Universities

By the Government of Tamil Nadu, contrary to judicial orders

Lok Bhavan, Tamil Nadu, wishes to place on record the factual and legal position relating to the constitution of Search Committees for recommending panel of names for appointment to the post of Vice-Chancellors to certain State Universities, namely Bharathiar University, Bharathidasan University and Periyar University and the extension of term given to these Search Committees.

The UGC (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) Regulations, 2018, which have statutory force, mandate that Search-cum-Selection Committees for recommending a panel of names for appointment to the post of Vice-Chancellors shall include a nominee of the Chairman, University Grants Commission. The binding nature of these Regulations and their supremacy over conflicting State enactments has been conclusively affirmed by the Hon'ble Supreme Court of India in the case of Professor (Dr.) Serenity P.S. vs. Dr. Rajasree & Ors, and Consistently followed in its latest decision on 30.01.2026 in the case of Dr. S. Mohan Vs the Secretary to the Chancellor, Puducherry Technological University, Puducherry. The Hon'ble Court has declared that any appointment of a Vice-Chancellor made on the recommendation of a Search Committee constituted contrary to the UGC Regulations would be void ab initio.

Under the respective State University Acts, the Governor of Tamil Nadu functions as the Chancellor of State Universities. Historically Vice-Chancellors have been appointed by the Chancellor from panels of three names recommended by duly constituted Search Committees, in Conformity with statutory provisions. The Government made some amendments in the University Acts vide 'Tamil Nadu Act No. 16 of 2025', replacing the expression 'Chancellor' by the expression 'Government' and therefore, the appointing authority of Vice-Chancellors of State Universities henceforth to be the Government. The said Act is under challenge and the Hon'ble Madras High Court has granted a stay in so far as they take away the power of appointment of the Vice-Chancellors from the hands of the Chancellor and vest the same with the Government.

A Writ Petition in W.P.(C) No.1271 of 2023 has been filed by State of Tamil Nadu before the Hon'ble Supreme Court, challenging the notifications issued by the Governor-Chancellor dated 06.09.2023 relating to the constitution of Search-cum-Selection Committees for three State Universities. The Government has further modified the prayer to declare that the sub-clause (ii) of Regulation 7.3 of the UGC Regulations, 2018 (which mandates the inclusion of one member nominated by the Chairman, University Grants Commission to the Search-cum-Selection-Committee for selection of Vice Chancellors of State Universities) as ultra-vires of the University Grants Commission Act, 1956 and does not bind the State University Acts.

The Government of Tamil Nadu has also filed a Special Leave Petition (C) No.17220 of 2025 before the Hon'ble Supreme Court of India against the Interim order of the Hon'ble High Court of Madras and the same is pending consideration before the Hon'ble Supreme Court. The State of Tamil Nadu has also filed a Transfer Petition (Civil) No. 1511 of 2025 before Hon'ble Supreme Court of India with a prayer to transfer the W.P. No. 18374 of 2025 presently pending on the file of Hon'ble Madras High Court.

The interim orders of the Hon'ble Madras High Court continues to be in force and related proceedings are pending before the Hon'ble Supreme Court of India.

It is a matter of serious concern that these Committees have been constituted and are functioning without a nominee of the Chairman, University Grants Commission (UGC), which is a mandatory requirement under the prevailing UGC Regulations, 2018 governing the appointment of Vice-Chancellors.

Despite the pendency of these proceedings, Government orders have been issued on 22.12.2025 extending the tenure of the Search Committees and granting further time up to 21.03.2026 to recommend panel of names for appointment to the post of Vice-Chancellor. Moreover, the Search Committee which were unlawfully constituted by the Government for Periyar University and Bharathidasan University have conducted interactions with the shortlisted candidates for selection of the Vice-Chancellor on 24.01.2026 and 27.01.2026 respectively.

Lok Bhavan considers that executive actions taken during the pendency of matters before Hon'ble Courts, particularly when interim orders are in force, attract the doctrine of *lis pendens*.

The action of the State Government in extending the term of the Search Committees when the *lis* is pending and the functioning of the Search Committees like

interaction with the shortlisted candidates transgress into the orders of the Hon'ble Courts and goes against the spirit of such orders. In these circumstances, the continuation of the selection process by the present Search Committees, in their existing composition, is not legally sustainable and is contrary to the spirit of the binding judicial pronouncements. Any further proceedings pursuant to such a process are liable to be rendered invalid, apart from leading to avoidable legal and administrative complications for the State Government and the Universities concerned.

The Hon'ble Governor-Chancellor has requested the Government of Tamil Nadu to issue immediate orders to include the nominee of the Chairman, UGC in the Search Committee as originally recommended by the Hon'ble Governor-Chancellor or to place the functioning of such Search Committees and all ongoing proceedings for the selection and appointment of Vice-Chancellors in abeyance forthwith, until the matter is decided by Hon'ble Supreme Court of India.

The Hon'ble Governor-Chancellor reiterates his commitment to upholding constitutional propriety, the rule of law, the autonomy and high academic standards of State Universities.

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Lok Bhavan, Chennai
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