

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**Civil Appeal No(s). 9816-9819/2026
@ SLP (C) Nos. 12915-12918/2024**

THE TAMIL NADU DR. AMBEDKAR LAW UNIVERSITY **Appellant(s)**

VERSUS

K. SANGEETHA & ORS. **Respondent(s)**

WITH

**Civil Appeal No(s). 9814-9815/2026
@ SLP (C) Nos. 16816-16817/2024**

O R D E R

1. Leave granted.
2. Heard learned Counsel for the parties.
3. These appeal(s) impugn a common order dated 09.10.2023 passed by the High Court¹ in Writ Appeal Nos. 3242/2019, 3243/2019, 3245/2019 and 3246/2019 whereby the Division Bench of the High Court set aside the order of the learned Single Judge and directed as follows:

"51...

That the order impugned passed by the learned Judge dated 28.08.2019 is hereby set aside. As a sequel, there shall be a direction to the respondent University to regularise the service of the appellant from the date of her

¹ High Court of Judicature at Madras

original appointment in the year 2006 and by virtue of this regularization, no difference of pay or arrears of pay shall be claimed by the appellant from the University for the past service rendered by her for the past 17 years. However, her service shall be counted for all other purposes including the seniority and future promotions. The needful as indicated above shall be undertaken by the respondent University within a period of eight weeks from the date of receipt of a copy of this judgment."

4. The appellant (i.e., The Tamil Nadu Dr. Ambedkar Law University)² appointed K. Sangeetha in the year 2006 for a fixed term, and on a fixed salary. Initially, the appointment was for a period of one year. However, it was extended from time to time. After serving the University for few years, K. Sangeetha filed W.P. No.26176/2008 for a direction that her services be allowed to continue till appointment of a regularly selected candidate on the post of Lecturer in International Law in the University. In that petition an interim order was passed allowing her to continue till regular selection. Basis the interim order, she continued to serve the University.

5. In 2011, the University advertised vacancies for regular appointment(s). Before regular appointments

could be finalized, K. Sangeetha, who did not possess the requisite qualifications for the post of Lecturer, obtained the requisite qualifications needed for appointment on the post. However, instead of participating in the recruitment process initiated by the Advertisement, she filed another writ petition³ seeking a direction upon the University to regularize /confirm her services /appointment on the concerned post in the University with effect from the date of her original appointment. In between, the University considered her claim for regularization and rejected it *vide* order dated 12.07.2012.

6. Aggrieved therewith, K. Sangeetha filed yet another writ petition⁴. While those three writ petitions were pending, one Dr. P. Vasantha Kumar was appointed. Questioning his appointment, K. Sangeetha filed a fourth writ petition⁵.

7. All four writ petitions came to be heard together and were dismissed by the learned Single Judge of the High Court *vide* order dated 28.08.2019 on the following grounds: (a) on the date of her initial appointment, K. Sangeetha did not hold the requisite qualifications for

3 Writ Petition No. 17525/2012

4 Writ Petition No. 18819/2012

5 Writ Petition No. 18891/2012

the post; (b) she had no right to stall regular recruitment to the post; and (c) regularization cannot be sought on the basis of service rendered under interim orders of the Court.

8. Aggrieved by the order of the learned Single Judge, four writ appeals were filed by K. Sangeetha before Division Bench of the High Court. Those appeals came to be allowed by the impugned order in terms *supra*.

9. The learned counsel representing the University made a very fair statement that though various questions of law arise for our consideration, having regard to the fact that K. Sangeetha had continued to serve the University for a period of about 20 years, and has acquired the requisite qualifications in the year 2012, it would be unjust to terminate her service now, particularly, when there are vacant posts and she can be adjusted against any one of them as noticed by the Division Bench of the High Court. He, however, submits that the order passed by the Division Bench of the High Court needs modification to the extent it directs the University to regularize her services from the date of her original appointment in the year 2006.

10. According to the learned counsel for the appellant, the direction of the High Court to regularize

services with effect from the date of original appointment needs to be made effective from the date when she obtained the requisite qualifications because in the year 2006, when she was originally appointed, she did not hold the requisite qualifications. She came to acquire the requisite qualifications for the first time on 15.06.2012. He, therefore, suggests that this Court may modify the direction given by the Division Bench so that the direction to regularize her appointment from the date of her original appointment is altered and made effective with effect from the date (i.e., 15.06.2012) when she came to hold the requisite qualifications for the post.

11. K. Sangeetha has also filed appeal(s) to challenge that part of the impugned order by which she was denied arrears for the past regular service. It is submitted on behalf of K. Sangeetha that if the Court had directed for regularization of her services, she is entitled to reap all benefits of regular service, and therefore, she must get regular scale for past service as well.

12. In response to the above claim, learned counsel for the University submitted that the High Court's order is based on equity and does not seek to enforce any

vested right of the writ petitioner. Besides, Sangeetha had served the institution not as of right, or under request of the University, but under the interim orders of the Court. In fact, her appointment in 2006 was an irregular appointment as she did not hold the requisite qualifications; therefore, at best, she could get the benefit of regularization only from the date she came to hold the requisite qualifications. However, she cannot claim arrears of regular scale because she has not participated in a regular recruitment process. In such circumstances, on behalf of the University, it has been argued that the direction of the High Court denying K. Sangeetha benefit of regularization in terms of arrears of regular scale does not require any interference.

13. We have accorded due consideration to the rival contentions and have perused the materials available on record.

14. It is not in issue that on the date of her initial appointment, K. Sangeetha lacked the requisite qualifications. There is also no dispute that she has gained the requisite qualifications during litigation, that is on 15.06.2012. In such circumstances, we accept the suggestion of the learned counsel representing the University that if at all a direction is to be issued

for her regularization, the same must be with effect from the date when she came to hold the requisite qualifications for the post.

15. As regards her claim that she should not be denied arrears of pay, etc. based on regularization of her services, suffice to say that she has not secured appointment through regular selection. She got the benefit of regularization on purely equitable considerations because she continued to serve the University for about two decades. Notably, her service continued only because of the interim orders of the court, otherwise the University had already initiated process for regular recruitment. Besides, the writ petitioner was not qualified on the date of her initial appointment. In such circumstances, the High Court denied her the benefits of arrears of pay and salary based on regular scale with effect from the date of the regularization.

16. In the context of the facts set out above, we do not find a good reason to interfere with the direction of the High Court to the extent it denies her the benefits of arrears of pay based on regularization of her service. However, we deem it appropriate to modify the direction of the High Court to the extent it directs

her regularization from the date of her original appointment. In consequence, it is directed that her appointment shall stand regularized with effect from 15.06.2012 and not with effect from the date of her original appointment.

17. Consequently, Civil Appeal No(s). 9816-9819/2026 (filed by The Tamil Nadu Dr. Ambedkar Law University) are partly allowed to the extent indicated above; whereas Civil Appeal No(s). 9814-9815/2026 (filed by K. Sangeetha) are dismissed.

18. Pending application(s), if any, shall stand disposed of.

..... J
[MANOJ MISRA]

..... J
[VIJAY BISHNOI]

New Delhi;
July 30, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 9816-9819/2026
@ SLP (C) Nos. 12915-12918/2024

THE TAMIL NADU DR. AMBEDKAR LAW UNIVERSITY

Appellant(s)

VERSUS

K. SANGEETHA & ORS.

Respondent(s)

WITH

Civil Appeal No(s). 9814-9815/2026
@ SLP (C) Nos. 16816-16817/2024 (XII-B)

Date : 30-07-2026 These appeals were called on for hearing today.

CORAM HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Appellant(s) Mr. N. Rajaraman, AOR

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For Respondent(s) Mr. N. Rajaraman, AOR

M/S. Ram Sankar & Co, AOR
Ms. Archana Goswami, Adv.
Mr. Naveen Kumar Ma, Adv.
Mr. Ankit Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. Civil Appeal No(s). 9816-9819/2026 are partly allowed and Civil Appeal No(s). 9814-9815/2026 are dismissed in terms of the signed order placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)