



W.P.(MD).No.17940 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.17940 of 2023

and

W.M.P(MD) No.14985 of 2023

S.Ramar
Assistant Professor (Commerce)
2/69, Sethuram Nagar,
Near Subburaj Bungalow,
Bodinayakanur,
Pin Code: 625 513.

... Petitioner

Vs.

1. The Principal Secretary to Government,
State of Tamil Nadu,
Higher Education Department,
Chennai.
2. The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram – 608 002,
Cuddalore District.
3. The Director,
Directorate of Collegiate Education,
Chennai – 600 006.



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4. The Principal,
Government Arts and Science College,
Veerapandi _ 625 534,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating with the impugned order of the fourth respondent in Na.Ka.No.243/A/2023, dated 30.06.2023 and quash the same as arbitrary, illegal, and consequently direct the respondents 3 and 4 to allow the petitioner to continue his service till one month earlier to the petitioner retirement dated 30.06.2024.

For Petitioner : M/s.R.Meenakshi

For Respondents : Mr.V.Omprakash
Government Advocate
For R1, R3 and R4

: Mr.Venkatesh Kumar
for M/s.Ajmal Associates – for R2

ORDER

The present Writ Petition has been filed by a faculty from the Arts and Science College, Veerapandi, Theni District, challenging the order of relieving him from the said College and directing him to join in the parent University, namely, Annamalai University.



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2. The writ petitioner herein was found to be a surplus faculty at Annamalai University and he was redeployed to the fourth respondent College. He attained the age of superannuation on 05.07.2023 and his services were extended till the end of the academic year i.e., on 30.06.2024.

3. As per the agreement between the faculty members and the Government at the time of taking over of the University, the redeployed teachers would be repatriated to the parent University one month prior to the retirement. In the present case, the fourth respondent College had relieved the writ petitioner with effect from 30.06.2023 on the presumption that he is about to retire on 05.07.2023. This order is under challenge in the present writ petition.

4. According to the learned counsel appearing for the writ petitioner, the services of the writ petitioner have been extended till 30.06.2024. Oblivious of this fact, the petitioner had been relieved from the fourth respondent College on 30.06.2023. Therefore, he ought to have been relieved only on 30.05.2024.



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5. On instructions, the learned Government Advocate appearing for the fourth respondent College brings to the notice of this Court that the mistake was rectified and the writ petitioner was later permitted to rejoin in the fourth respondent College. He would be relieved only in May 2024, so that he could be repatriated to the parent University at the time of superannuation on 30.06.2024.

6. In view of the subsequent event, nothing survives to be adjudicated in the writ petition. Accordingly, this Writ Petition stands closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

19.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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