

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.07.2015

CORAM

THE HON'BLE MR. JUSTICE T.S. SIVAGNANAM

W.P. No.31560 of 2014

S.Revathi

...Petitioner

Vs

1. The Secretary to Government,  
Higher Education Department,  
Fort St., George,  
Chennai.
2. The District of Collegiate Education,  
College Road,  
DPI, Chennai - 6.
3. The Regional Joint Director of Collegiate Education,  
Coimbatore Region,  
Race Course,  
Coimbatore.
4. The Principal,  
Government Arts College,  
Dharmapuri.
5. Mr.P.K.Baskaran  
Principal,  
Government Arts College,  
Dharmapuri.

...Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari, to call for records in connection with 2<sup>nd</sup> respondent proceedings in Na.Ka.No.62327 of 2014, dated 12.11.2014, quash the same.

For Petitioner : Mr.M.Raja Gopalakrishnan  
For Respondents : Mr.R.Vijayakumar AGP for RR1-4  
M/s.Daniel Kalaiselvam for R5

O R D E R

Heard the learned counsels appearing on either side and perused the materials placed on record. By consent of the learned counsels on either side, the writ petition is taken up for final disposal.

2. The petition has been filed praying for issuance of a Writ of Certiorari, to quash the order passed by the second respondent, dated 12.11.2014. By the said communication, the petitioner was transferred from Dharmapuri to Villupuram. The order of transfer was challenged on usual grounds and also that it is malafide on account of the fact that the petitioner has given a complaint against the fourth respondent alleging that the fifth respondent is using abusive words.

3. When the Writ Petition was heard on 22.01.2015, this Court was prima facie of the view that the impugned order of transfer was stigmatic and accordingly granted interim stay and directed the respondents to permit the petitioner to join the institution forthwith. There was a further direction to the Superintendent of Police to conclude the enquiry which was commenced based on the petitioner's complaint/representation.

4. It is submitted by the learned counsel for the petitioner that by virtue of the impugned order, now the petitioner is functioning peacefully and the fifth respondent has also retired from service.

5. So far as the direction issued to the respondent Police, the Assistant Superintendent of Police, Dharmapuri, Sub-Division has submitted a report to the Superintendent of Police, Dharmapuri, stating that the petitioner may approach the committee constituted in the college in terms of the decision of the Hon'ble Supreme Court in the case of Vishaka and Ors., vs. State of Rajasthan reported in (1997) 6 SCC 241.

6. As regards the allegation against the enquiry officer, namely, Mrs.Rameshwari, ADSP, (PEW), Dharmapuri, as report has been submitted and forwarded to the Superintendent of Police and it is up

to the Superintendent of Police to take note of the report and act in accordance with law.

7. In the light of the above, the Writ Petition is closed, by recording the submission that the petitioner is peacefully functioning in the said college and the fifth respondent has also retired and leaving it open to the petitioner to work out her rights in accordance with law, if she has any further grievance. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-  
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

pbn

To

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Dharmapuri.

3 CCs to Mr.M.Raja Gopalakrishnan, Advocate SR.No.37981 & 36925  
1 CC to Mr.G.Dhamodaran, Advocate SR.No. 37493  
1 CC to the Government Pleader, SR.No. 37045

W.P. No.31560 of 2014

KM (CO)  
PSI (07.08.2015)