

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2015

CORAM:

THE HON'BLE MR. JUSTICE R. MAHADEVAN

W.P.No.28387 of 2015
& M.P.No.1 of 2015

S.Navamani

[Petitioner]

Vs

1. State of Tamil Nadu rep.by its
Secretary to Government
Higher Education Department
Fort St.George, Chennai 9
 2. The Director of Collegiate Education
DPI Campus, College Road
Chennai 6
 3. Thiru Ravichandran
(The Writ Petition was dismissed
in respect of the 3rd respondent
vide Court Order dated 22.9.2015)
- [Respondents]

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for the records of the first respondent herein in G.O. (2D) No.76 dated 27.08.2015 and quash the same on the ground that it has been issued in colourable exercise of power and arbitrary.

For petitioner

Mr.R.Singaravelan for
Ms.M.Srividya

For respondents

Mr.M.S.Ramesh, AGP
for R1 & R2
Mr.L.Srinivasamurthy for R3

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O R D E R

Heard the learned counsel on either side.

2. This writ petition is filed challenging the order of the first respondent herein in G.O. (2D) No.76 dated 27.08.2015, whereby, suspension is the subject matter.

3. The case of the petitioner is that he was appointed as Professor (Mathematics) on 30.12.1981 and worked as such and he was appointed as Incharge Principal of the Dr.Ambedkar Government Arts College, Vyasarpadi on 31.07.2015. On 07.08.2015, a complaint was given to the Deputy Commissioner of Police bringing to the notice the illegal activities of the old students and sought for police protection. However, on the false complaint given by certain Professors who were lending active support to old students' leaders, as if the petitioner had demanded money from a girl student for admission in the college, the petitioner was called for a preliminary enquiry and a phone conversation was played, thereupon, the petitioner was sought for explanation. The petitioner denied the same and also brought to the notice of the 2nd respondent that it is a false complaint, the petitioner has been placed under suspension under the pressure exerted by certain students' leaders. Aggrieved over the suspension order passed, the petitioner is before this Court.

4. The learned counsel for the petitioner placing reliance on the Judgment reported in (2015) 7 SCC 291 (Ajay Kumar Choudhary vs. Union of India) submitted that it would suffice if the suspension order passed by the 1st respondent is reviewed and necessary orders passed within a time frame and that would meet the ends of justice, for which, the learned Additional Government Pleader has no serious objections, who also submitted that the suspension order dated 27.08.2015 would be reviewed in the manner known to law.

5. In view of the above submission made by the learned counsel on either side, recording the same, this writ petition is disposed of by directing the 1st respondent to pass necessary orders by reviewing the suspension order, within a period of three weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rg

To

1. State of Tamil Nadu rep.by its
Secretary to Government
Higher Education Department
Fort St.George, Chennai 9

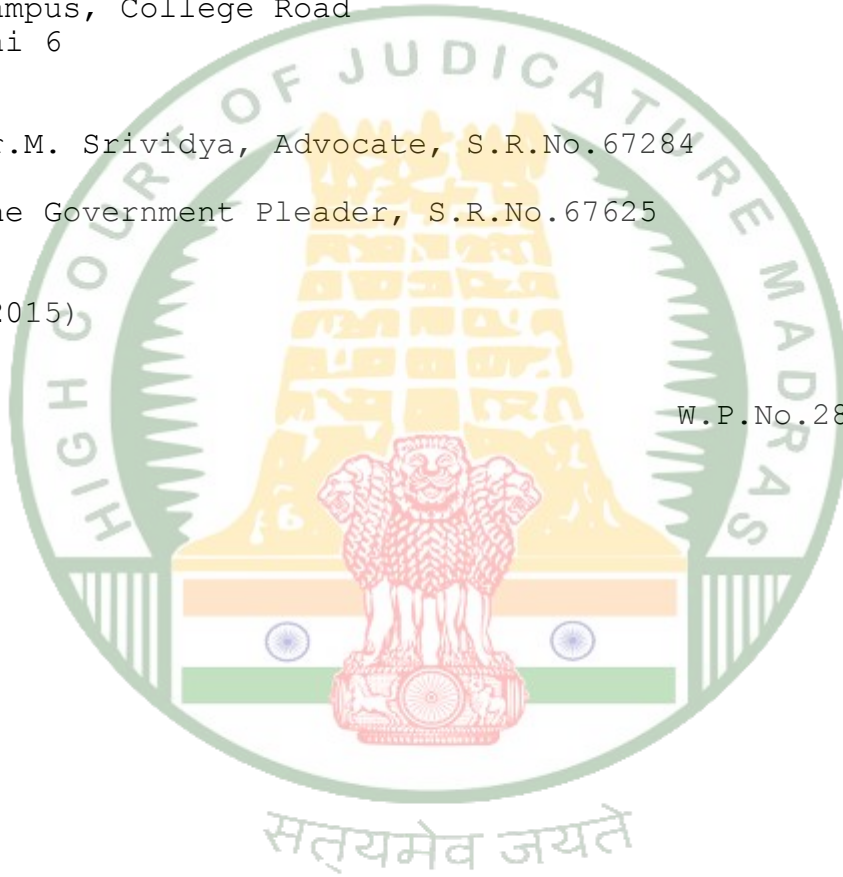
2. The Director of Collegiate Education
DPI Campus, College Road
Chennai 6

+1cc to Mr.M. Srividya, Advocate, S.R.No.67284

+1cc to the Government Pleader, S.R.No.67625

SK(CO)
EU(30/12/2015)

W.P.No.28387 of 2015



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