

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.Nos.31244 to 31249 of 2015
M.P.Nos.1 to 1 of 2015(6 Nos.)

V.Sunil Kumar .. Petitioner in
W.P.31244/2015

E.Sathish Kumar .. Petitioner in
W.P.31245/2015

T.Karmugil .. Petitioner in
W.P.31246/2015

C.Raj Kumar .. Petitioner in
W.P.31247/2015

M.Pandiyaraj .. Petitioner in
W.P.31248/2015

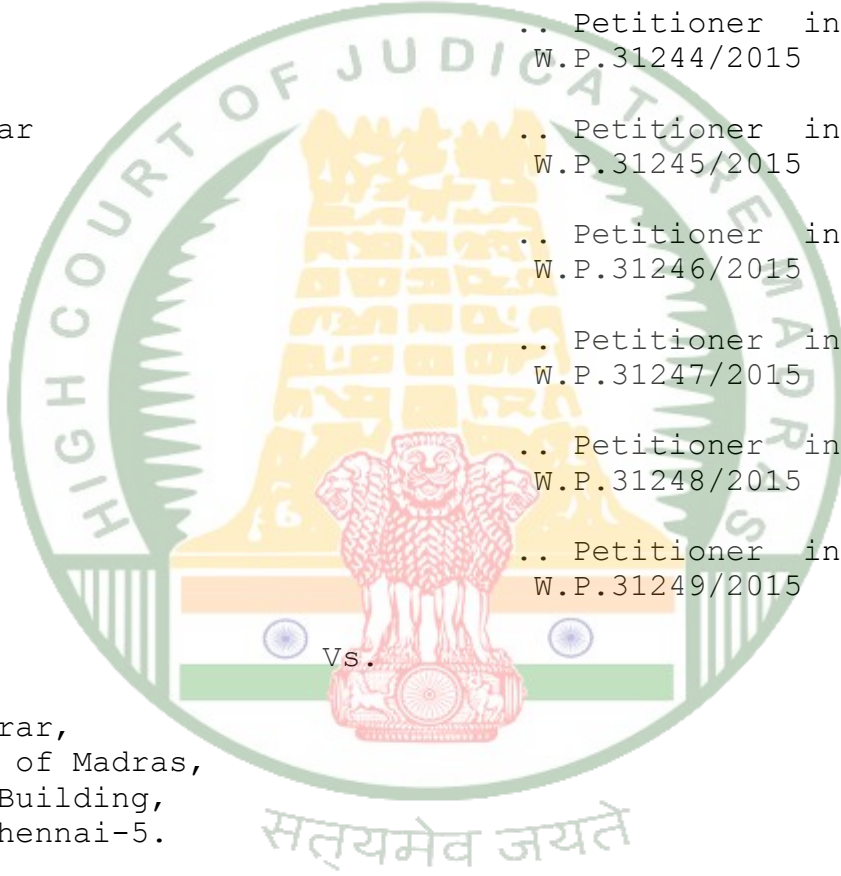
E.Gnanasekar .. Petitioner in
W.P.31249/2015

1. The Registrar,
University of Madras,
Centenary Building,
Chepauk, Chennai-5.

2. The Vice Chancellor,
University of Madras,
Chepauk, Chennai-5.

3. The Convener,
University Students Disciplinary Committee,
University of Madras,
Chennai-600 005.

.. Respondents
in all W.Ps.



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Prayer: Petitions are filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records pertaining to the proceedings being Nos. Regr/CBCS/2015/352, Regr/CBCS/2015/350, Regr/CBCS/2015/348, Regr/CBCS/2015/343, Regr/CBCS/2015/349, Regr/CBCS/2015/351 respectively dated 25.08.2015 of the first respondent herein in respect of suspension orders and quash the same and consequently, direct the respondents to permit the petitioners to attend the classes like R.Sidhu, Kanimozhi, Jeseoph and Euke, after the enquiry conducted on 08.09.2015.

For Petitioner .. Prof.M.Udaya Bhanu
in all W.Ps.

For Respondents .. Mr.R.Vijayakumar
in all W.Ps.

COMMON ORDER

In all these proceedings, the orders of suspension passed against the petitioners, who are students of the respondent-University, are put into challenge. By the impugned orders, they have been suspended temporarily pending enquiry into the alleged misbehaviour.

2. It is seen that out of all the students, against whom the orders of suspension were passed, few of them have been taken back based upon their statements. Today, when the writ petitions are taken up, affidavits have been filed by the petitioners, in which, it is stated in paragraph 4 as follows:

"(4) I state that the Hon'ble Court advised me through my counsel to submit an undertaking not to indulge any sort of agitation inside the University of Madras. I respectfully submit that I will not indulge in any form of unnecessary agitation inside the University of Madras."

3. The learned counsel appearing for the respondent-University submitted that the statements made in paragraph 2 of the affidavits filed by the petitioners is not factually correct.

4. This Court is not willing to go into the same. Suffice it to allow these writ petitions by taking into consideration of the affidavits filed today(14.10.2015) before this Court by the petitioners and the fact that some of the other students, who have given statements were allowed to continue by revoking their orders of suspension. The students are also present before this Court. The said impugned orders have been passed on 25.08.2015 and the same are continued even now. The enquiry initiated against the petitioners is nearing completion.

5. Considering the above and taking note of the interest of the petitioners being students and in the light of the discussion made above, the orders impugned are hereby set aside and the writ petitions are allowed. However, it is made clear that the order passed by this Court would not stand in the way of the respondent-University to proceed with the enquiry in the manner known to law. Further, this Court hopes and trust that the decision would be taken by the respondent-University by taking into consideration of the fact that suspension has been revoked in respect of few of the students, who were allegedly involved. No costs. Consequently, connected miscellaneous petitions are closed.

raa

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub-Assistant Registrar

To

1. The Registrar, University of Madras,
Centenary Building,
Chepauk, Chennai - 600 005.
2. The Vice Chancellor, University of Madras,
Chepauk, Chennai - 600 005.
3. The Convener, University Students Disciplinary Committee,
University of Madras,
Chennai-600 005.

+6 C.C. to MR.M.UdayaBhanu, Advocate in Sr.56459, 56470, 26504, 56502 & 56501

+1 C.C. to MR.R.Vijayakumar, Advocate in Sr.56470

W.P.No.31244 to 31249
of 2015

KJI (CO)

sd : 15/10/2015

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