

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2016

C O R A M

THE HON'BLE DR.JUSTICE S.VIMALA

Writ Petition No. 17350 of 2016

and W.M.P.No.14828 of 2016

R.Prabhakaran

... Petitioner

-Vs-

1.The Registrar

Annamalai University
Annamalai Nagar
Chidambaram-608 002
Cuddalore District.

2.The Vice Chancellor

Annamalai University
Annamalai Nagar
Chidambaram-608 002
Cuddalore District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to dispose of the petitioner's statutory appeal pending before the 2nd respondent, on merits, within a stipulated time fixed by this Court and to pass further orders as this Court may deem fit and proper in the circumstances of the case.

For petitioner : Mr.P.Eswaran

सत्यमेव जयते
O R D E R

This Writ Petition has been filed by the petitioner seeking a direction to the 2nd respondent to dispose of the petitioner's statutory appeal, on merits, within a stipulated time frame to be fixed by this Court.

2. Mr.P.Eswaran, the learned counsel for the petitioner, has submitted that he is not able to serve notice on the learned standing counsel for the respondents. Having regard to limited issue involved, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. On a perusal of the materials available on record, it is seen that a statutory appeal has been filed in the month of March, 2016. A copy of the appeal is also enclosed in the typed-set-of-papers. Now, the grievance of the petitioner is that the appeal has been pending before the 2nd respondent for quite a long time and hence, seeking direction to the 2nd respondent to dispose of the petitioner's statutory appeal, this Writ Petition has been filed.

4.The petitioner joined duty as a helper on a consolidated pay in the year 2005 and he was confirmed in service during April 2007. He was performing with duties with utmost satisfaction of superiors.

4.1. He was suspended on 02.03.2015 on the allegation of malpractices in the examination conducted. The petitioner is employed in Civil Engineering Department which has nothing to do with the office of the controller of examinations. The petitioner has been categorically stating that he has nothing to do with the alleged malpractices in the examination. The petitioner claims that one of the two girl child is suffering from mental health issues. On a finding that charge against him is proved second show cause notice has been issued to the petitioner seeking explanation. Under such circumstances, expressing his grievances, the petitioner wants an early disposal.

4.2. Having regard to the averments made in the representation of the petitioner, dated 02.09.2015, the second respondent viz., The Vice Chancellor, Annamalai University, Chidambaram, is directed to dispose of the statutory appeal filed by the petitioner/appellant, dated 21.03.2016, on merits and in accordance with law, as expeditiously as possible, preferably within a period of one month from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(VO)

//True Copy//

Sub Assistant Registrar

To

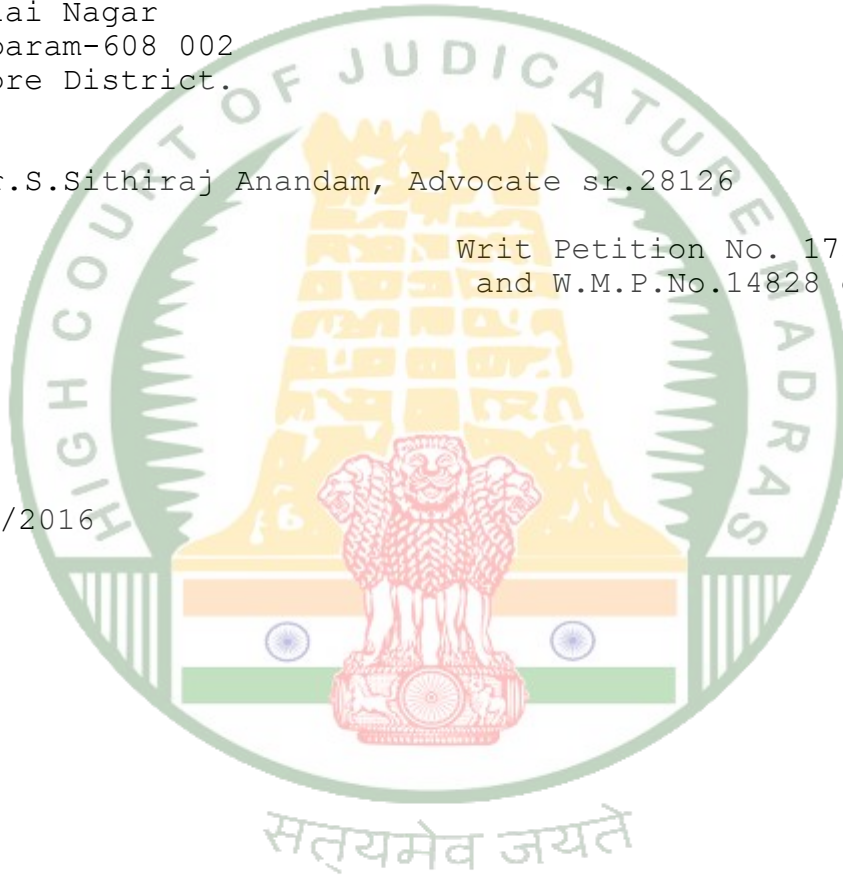
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+1cc to Mr.S.Sithiraj Anandam, Advocate sr.28126

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Lrs[col]
srg 06/05/2016



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