

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.21822 of 2016

And

W.M.P.No.18667 of 2016

Pondicherry University Non-Teaching Staff Welfare Association
Rep. by its President ... Petitioner

Vs.

1.Pondicherry University
Rep. by its Registrar
R.Venkatraman Nagar
Kalapet
Puducherry 605 014.

2.P.Muthusamy
3.K.Jothi
4.M.Panneerselvam
5.S.Ravi
6.P.Arumugam
7.N.Ravi

.... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the 1st respondent University from entertaining the Respondent No.2 to 7 in any capacity of the Petitioner Association or permit them to conduct election to elect the office bearers of the Petitioner Association in the premises of the 1st Respondent University contrary to the election notification issued by the Petitioner Association dated 15.06.2016.

For Petitioner : Mr.Balan Haridas
For Respondents : Mr.Stalin Abimanyu for R1

O R D E R

By consent, the writ petition is taken up for final disposal.

2.Mr.Balan Haridas, the learned counsel appearing for the petitioner would submit that Pondicherry University Non-Teaching Staff Welfare Association is recognized by the first respondent and it has issued election notification, dated 17.06.2016 announcing election schedule dated 15.06.2016 and however, to their shock and surprise, the second respondent, claiming to be the Convenor and the third respondent, claiming to be the Member Secretary, has announced a new election schedule and the same is impermissible and therefore, the petitioner association is constrained to file this writ petition and prays for appropriate orders.

3.Mr.Stalin Abimanyu, learned Standing Counsel who accepts notice on behalf of the first respondent, on written instructions, would submit that the claim of the respondents 2 and 3 have been considered and opinion was also obtained and a decision has been taken not to recognize adhoc committee for Pondicherry University Non-Teaching Staff Welfare Association and further a decision was also taken not to have any communication/ correspondence with the adhoc committee and has also produced a written communication dated 24.06.2016 written by the first respondent to the second respondent.

4.It is also brought to the knowledge of this Court by the learned Standing Counsel appearing for the first respondent that a communication, dated 24.06.2016 has also been addressed to the President of the petitioner association informing that necessary permission is accorded for conducting elections for Pondicherry University Non-Teaching Staff Welfare Association as per schedule and the services of Mr.S.Murugaiyan, Assistant Registrar, Planning and Development is spared as Election Officer to conduct the elections and the Officer on special duty (Vigilance and Security) is nominated as the Election Observer. The said communication dated 24.06.2016, addressed to the President of the petitioner association is taken on file and placed on record.

5.In the light of the above stated communication, there cannot be any apprehension on the part of the petitioner association that the second respondent, claiming to be the Convenor and the third respondent, claiming to be the Member Secretary, may conduct parallel election. The petitioner association as well as the first respondent shall ensure smooth and orderly conduct of the election in a fair manner.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

-s/d-
Assistant Registrar (CSVI)

True Copy

Sub-Assistant Registrar

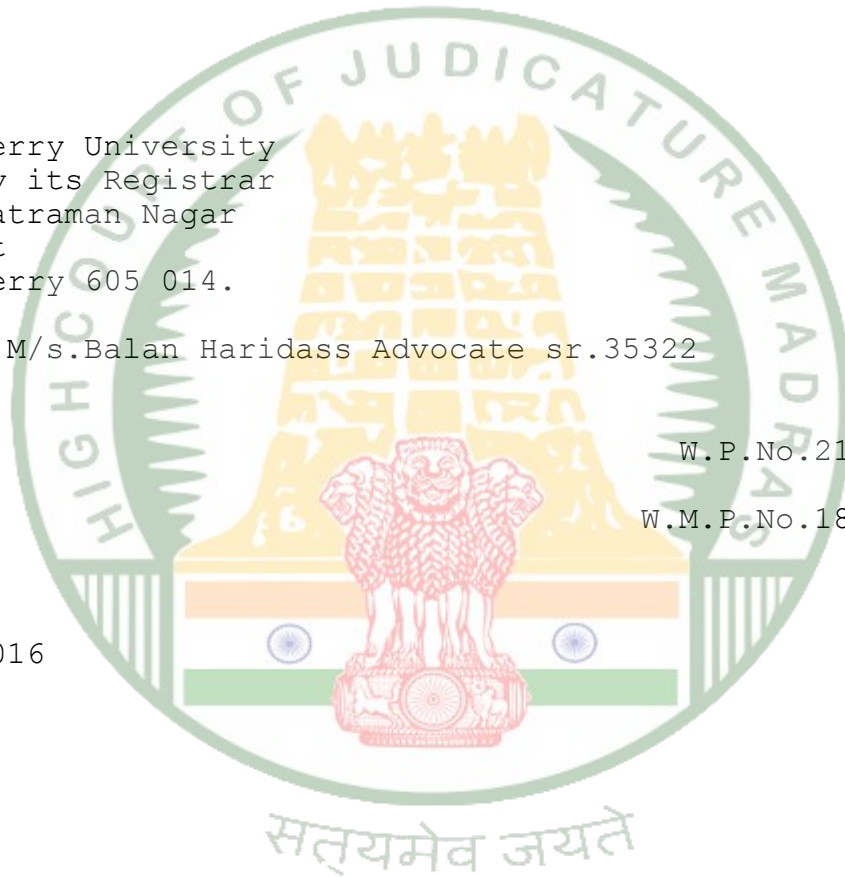
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To

1.Pondicherry University
Rep. by its Registrar
R.Venkatraman Nagar
Kalapet
Puducherry 605 014.

+ 1 cc to M/s.Balan Haridass Advocate sr.35322

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