

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Appeal No.690 of 2016

K.Kumar ... Appellant

Vs.

The Registrar, University of Madras,

Chennai-600 005

..Respondent

Writ Appeal filed under clause 15 of the Letters patent against the order dated 01.04.2014 made in W.P.No.9403 of 2014.

Writ petition filed u/a 226 of the Constitution of India, praying for the issuance of a writ of certiorarified mandamus, calling for the records of the respondents official communication No.F1(A)/ESTT/2005/3962 dated 21.10.2005 and quash the same and consequentially direct the respondent to reinstate the petitioner in service with all concomitant benefits continuity of service and backwages from the date of the impugned order to till date of reinstatement of the petitioner.

For Appellant:- Mr.M.Ghanasekar

For respondent:- Mr.Mani Sundargopal.

JUDGMENT

(Judgement of the Court was made by HULUVADI G. RAMESH, J.)

Heard the learned counsel for the appellant and the learned Standing counsel for the respondent-University of Madras.

2. At the stage of admission of this writ appeal, we have gone through the inquiry report on the charges framed under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules, against the appellant herein, who served as Assistant (SG) PG Admission, Section-I, Institute of Distance Education, University of Madras and the consequential orders imposing punishment of compulsory retirement and Syndicate Meeting reiterating the same.

3. We have also perused the order of the learned Single Judge, observing that the appellant/Writ Petitioner, has challenged the order of punishment imposing compulsory retirement, after 9 years and hence, the appellant/petitioner is guilty of laches. The learned Single Judge, also pointed out that the Rules does not permit any further representation after imposition of punishment of compulsory retirement and hence, the petitioner's attempt will not persuade the respondent.

4. It is seen that by Official Memorandum dated 21 October 2015, based on the Syndicate Meeting held on 5th August 2005, informed the petitioner that the punishment imposed will not preclude him from his retirement/pension benefits.

5. In the above said circumstances, we do not find any scope for interference in the order of the learned Single Judge. Accordingly, the Writ Appeal is dismissed. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

+1 cc to Mr.Mani Sundargopal, advocate,sr.39727.

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