

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.43791/2016 & WMP.No.37601/2016

Mr.T.C.Muralidharan

.. Petitioner

Vs

1.The Director
All India Council For Technical Education,
New Delhi.

2.The Registrar
Anna University,
Guindy, Chennai-600025.

3.The Secretary,
Sriram Educational Trust,
No.49, Anna Salai,
Chennai 600 002.

4.The Principal
Sriram Engineering College
Perumalpattu-602024,
Thiruvallur District.

5.The Headof the Automobile Department
Sriram Engineering College
Perumalpattu-602024,
Thiruvallur District.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorari calling for the records

relating to the Office Proceedings passed by the 3rd respondent dated 07.12.2016 in his Office Proceedings No.1570/SRET/2016 received by the petitioner on 15.12.2016.

For Petitioner : Mr.M.Md.Ibrahim Ali
For Respondents : Mrs.A.L.Gandhimathi for R1

Mr.M.Vijayakumar for R2

ORDER

By consent, the writ petition is taken up for final disposal. Mrs.A.L.Gandhimathi, learned Standing Counsel accepts notice on behalf of the 1st respondent and Mr.M.Vijayakumar, learned Standing counsel accepts notice on behalf of the 2nd respondent.

2 The petitioner would state that he is working as Assistant Professor in the Automobile Department of the 4th respondent / College and claims that he is having an unblemished record for the past seven years and discharging his duties honestly and sincerely. The petitioner would further state that the College Authorities has sent a Communication on 23.07.2016 to the petitioner, calling upon the petitioner to appear for an enquiry to be held on 26.07.2016, based on the letter received from the 3rd respondent dated 22.07.2016 and on

receipt of the same, the petitioner has submitted a detailed response dated 25.07.2016 to the 5th respondent and also marked copies of the same to the respondents 3 and 4. The 4th respondent, once again sent a Memo dated 04.07.2016, for which also, the petitioner has submitted a detailed explanation.

3 The learned counsel for the petitioner would submit that the impugned order of suspension came to be issued based on mala fide and oblique motive and the records and performance of the petitioner has not at all been taken into consideration and drawing the attention of this Court to the said order, learned counsel would submit that conclusion has already been reached to punish the petitioner and as such, the impugned order of suspension deserves to be quashed and prays for appropriate orders.

4 This Court heard the submissions of Mrs.A.L.Gandhimathi, learned Standing Counsel appearing for the 1st respondent and Mr.M.Vijayakumar, learned Standing Counsel appearing for the 2nd respondent.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit a representation for reviewing the order of suspension to the respondents 3 to 5 within a period of three weeks from the date of receipt of a copy of this order and the respondents 3 and 4, on receipt of the same, are directed to consider the said representation on merits and in accordance with law and pass orders within a further period of four weeks thereafter and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

21.12.2016

Index : Yes / No
Internet : Yes / No

AP

To

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M.SATHYANARAYANAN. J
AP

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