



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2016

CORAM :

WEB COPY THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN

Writ Appeal (MD) No.76 of 2015

J.Winston Jacob

... Appellant/Petitioner

Vs.

1. The Chairman,
Velammal College of Engineering and Technology,
Velammal Nagar,
Viraganoor,
Madurai 625 009.

2. The Principal,
Velammal College of Engineering and Technology,
Velammal Nagar,
Viraganoor,
Madurai 625 009.

3. The Chairman,
Anna University,
Guindy, Chennai 600 025.

... Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the Order dated 20.11.2014 made in W.P.(MD).No.18791 of 2014 on the file of this Court.

Prayer in WP(MD). 18791/ 2014 :

Writ Petition is filed under Article 226 of India for the issue of a Writ of Certiorarified Mandamus to call for the records relating to the order dated 25.10.2014 on the file of the first respondent and to quash the same and direct the respondents to reinstate the petitioner to the post of Assistant Professor - III in the respondent institution with all such monetary, and other benefits as accrued to him.

For Appellant : Mr.S.Subbiah
For 3rd Respondent : Mr.M.Rajarajan
For Respondents 1 & 2: No appearance

JUDGMENT

(Judgment of the Court was made by The Hon'ble The Chief Justice)

The writ petition filed by the appellant was rejected by the impugned order dated 20.11.2014 as not maintainable on the ground that private engineering colleges are not amenable to writ jurisdiction under Article 226 of the Constitution of India.



2.To substantiate this view, the learned single Judge relied upon the judgment of the First Bench of this Court in W.A.No.932 of 2013 dated 04.07.2013 in **S.R.M.University Vs.Dr.Janet Jeyapaul**.

3.The subsequent event after the judgment is that the view of the Division Bench of this Court stands reversed, by the Hon'ble Supreme Court in **Dr.Janet Jeyapaul Vs. S.R.M.University, 2016 (1) CTC 240**.

4.The aforesaid being the position, the impugned order is set aside and the matter is remitted back to the learned single Judge for consideration on merits. The writ appeal is accordingly disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Chairman,
Velammal College of Engineering and Technology,
Velammal Nagar,
Viraganoor,
Madurai 625 009.
2. The Principal,
Velammal College of Engineering and Technology,
Velammal Nagar,
Viraganoor,
Madurai 625 009.
3. The Chairman,
Anna University,
Guindy, Chennai 600 025.

+ 1 CC TO M/S.S.SUBBIAH, ADVOCATE IN SR NO. 4176/16
+ 1 CC TO MR.M.RAJARAJAN, ADVOCATE IN SR NO. 4169/16

SMS/GB

TE/SKS-RR/ : 08/02/2016 : 2P/6C

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