



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

WEB COPY

W.P(MD)No.4630 of 2015

P.VIJAYAKUMAR

S/O V.S. PERIYAKARRUPAN NO.25 PANDIAN

NAGAR 3RD STREET KARISANKULAM MADURAI 18

.. Petitioner

Vs.

1 THE STATE OF TAMILNADU

REP. BY ITS PRINCIPAL SECRETARY DEPT. OF
HIGHER EDUCATION FORT.ST.GEORGE CHENNAI

2 THE VICE CHANCELLOR

MADURAI KAMARAJ UNIVERSITY PALKALAI NAGAR
MADURAI 21

3 MADURAI KAMARAJ UNIVERSITY

REP. BY ITS REGISTRAR PALKALAI NAGAR
MADURAI 21

4 DR. A. VIJAYARANGAN

ASSISTANT PROFESSOR DEPT. OF SOCIOLOGY
MADURAI KAMARAJ UNIVERSITY MADURAI 21

5 P.RAJKUMAR B.E. M.C.A.

ASSOCIATE PROFESSOR UNIVERSITY SCIENCE
INSTRUMENTATION CENTRE MADURAI KAMARAJ
UNIVERSITY MADURAI 21

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondent NO.3 to restrain the Respondent NO.4 and 5 from attending the Senate Meeting on 31.03.2015 and not to permit them to participate in the Senate Nominee Election proposed to be held on 31.03.2015.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondents

: Mr.Aayiram K.Selvakumar for R1

Government Advocate

Mr.T.Sakthikumaran for R2 and R3

Mr.D.Nallathambi for R4

No appearance for R5

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner has come up with this writ petition seeking a direction to the respondent No.3 to restrain the Respondent Nos.4 and 5 from attending the Senate Meeting of Madurai Kamaraj University, which was scheduled to be held on 31.03.2015.

2. We have heard the learned counsel for the petitioner and the learned counsel for the respondents and the learned Government Advocate for the 1st respondent.

3. In our considered view, for two reasons, this writ petition deserves to be dismissed, at this stage:

First one is that this writ petition pertains to the meeting, which was scheduled to be held on 31.03.2015 and therefore, the scope of the writ petition has already expired.

(ii) The second reason is that, according to the petitioner, in W.P.(MD) No.17698/2014, the learned single Judge of this Court has stayed the nomination of the 5th respondent as a member of the Senate. If that be so, to restrain the 5th respondent from participating in any other senate meeting, the remedy for the petitioner lies only before the learned single Judge.

4. For these reasons, this Writ Petition, at this stage, is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

1 THE PRINCIPAL SECRETARY DEPT. OF
HIGHER EDUCATION FORT.ST.GEORGE CHENNAI

2 THE VICE CHANCELLOR

MADURAI KAMARAJ UNIVERSITY PALKALAI NAGAR , MADURAI 21

+One cc to Mr.Sakthikumaran, Advocate, SR.No.71383

+One cc to Mr.T.Lajapathi Roy, Advocate, SR.No.71566

+One cc to the Special Government Pleader, SR.No.71670

+One cc to Mr.D.Nallathambi, Advocate, SR.No.71796

RR

RL/7C/2P/SKS/RR/9.12.2016

ORDER MADE IN
W.P(MD)No.4630 of 2015
and M.P.No.1 of 2015