



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2016

C O R A M

THE HONOURABLE DR.JUSTICE S.VIMALA

WEB COPY

Writ Petition (MD) Nos.14139 and 14140 of 2016

and

WMP(MD)Nos.10508 and 10509 of 2016

Dr.P.Arumugam .. Petitioner in W.P.(MD)No.14139 of 2016

Dr.M.Senthilkumar .. Petitioner in W.P.(MD)No.14140 of 2016

Vs.

1.The Government of Tamil Nadu,
Through its Secretary,
Collegiate Education Department,
Secretariat, Fort St.George, Chennai -09.

2.The Director of Collegiate Education,
College Road, D.P.I.Compound, Chennai 6.

3.The Joint Director, Collegiate Education,
Madurai Region, Vaithiyanathayer Street,
Madurai 625 020.

4.Senthamil Arts/Oriental College,
Represented by the Secretary,
No.54, Tamil Sangam Road, Madurai - 625 002,
Madurai District.

.. Respondents

Common Prayer: Petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent No.4 to allow the petitioners to join duty by revoking the suspension of the petitioners as per the directions of the respondent No.3 within a stipulated time.

For Petitioner in both W.Ps ... Mr.T.Lajapathi Roy

For R1 to R3 in both W.Ps. ... Mr.M.Murugan, Government Advocate

For R4 in both W.Ps. ... Mr.E.V.N.Siva

O R D E R

These writ petitions have been filed seeking direction to the fourth respondent to allow the petitioners to join duty by revoking the suspension of the petitioners, as per the directions of the respondent No.3, within a stipulated time.



2. Heard the learned counsel for the petitioners and the learned counsel for the respondents.

3. By the proceedings dated 26.04.2016, the Joint Director of Collegiate Education directed the authorities concerned to revoke the order of suspension and to permit the petitioners (P.Arumugam and M.Senthilkumar) to join duty.

4. Pointing out the provisions of Section 19 of the Tamil Nadu Private College Regulation Act, 1976, the learned counsel for the petitioner contended that despite the orders passed by the Joint Director and despite the availability of provisions of Section 19 of the Act, still the petitioners are not permitted to join duty and they are also not given subsistence allowance.

5. The learned counsel for the fourth respondent would submit that the enquiry would be completed within four months and without prejudice to the merits of the matter, the respondents are prepared to permit the petitioner to join duty thereby revoking the order of suspension.

6. This undertaking on the part of the fourth respondent is recorded and the petitioner shall be permitted to join duty within a period of two weeks from the date of receipt of a copy of this order.

7. The learned counsel for the fourth respondent would submit that the proposal for dismissal of those two petitioners is pending consideration before the Joint Director of Collegiate Education, Madurai and without prejudice to this step being taken, they are prepared to consider the joining of the petitioners.

8. There is an assurance on the part of the learned counsel for the fourth respondent that the subsistence allowance for the period, under which, the petitioners had been under suspension, shall be paid, within a period of one week from the date of receipt of a copy of this order and the regular salary will be paid on and from the date of joining.

9. These writ petitions are disposed of accordingly placing on record the assurance given by the respondent (R4) No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (Cr1.)

/True copy/



To

1.The Secretary,
Collegiate Education Department,
Secretariat, Fort St.George, Chennai -09.

2.The Director of Collegiate Education,
College Road, D.P.I.Compound, Chennai 6.

3.The Joint Director, Collegiate Education,
Madurai Region, Vaithiyanathayer Street,
Madurai 625 020.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.63298

+2 CC to M/s.T.LAJAPATHI ROY, Advocate, SR No.63276 & 63277

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24.10.2016

rj2

SH/SKS-RR:18.11.2016:3P/7C