

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2017

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH  
AND

THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

Writ Appeal Nos.1789 & 1790 of 2017

Dr.R.Marimuthu .. Appellant in both WAS.  
Vs.

1. The Vice Chancellor and Chairperson of Syndicate  
Avinashilingam Institute for Home Science and  
Higher Education for Women  
Coimbatore 641 043, Coimbatore District.
  2. The Registrar (Incharge)  
Avinashilingam Institute for Home Science and  
Higher Education for Women(Deemed University)  
Coimbatore 641 043, Coimbatore District.
- .. Respondents in both Was.

Appeals under Clause 15 of the Letters Patent filed against the order dated 14.12.2017 made in WMP Nos.11378 & 13698 of 2016 in W.P.No.13019 of 2016 and quash the impugned proceedings of the 2<sup>nd</sup> respondent in No.AIHE & HS/2016/R/4 dated 31.03.016.

Prayer in WMP.No.Petitions praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to grant an order of interim stay passed by the 2<sup>nd</sup> respondent in No.AIHE & HS/2016/R/4 dated 31/03/2016 pending disposal of the above writ petition (in WMP.No.11378/16).

II) Vacate the Interim Order of stay dated 06.04.2016 passed in WMP.11378 of 2016 in W.P.No.13019 of 2016 (in WMP.No.13698 of 2016) pending W.P.No.13019/2016 respectively.

Prayer in WP.No.13019 of 2016: Petition filed under Article 226 of the constitution of India praying that this Honourable Court may be pleased to issue a Writ of Certiorari to call for the records to the proceedings of the 2<sup>nd</sup> respondent in No.AIHE & HS/2016/R/4 dated 31/03/2016.

For Appellant : Mr.AR.L.Sundaresan, S.C.  
Mr.D.Balachandran  
For Respondents : Mr.R.Bharath Kumar

J U D G M E N T  
(Delivered by Huluvadi G.Ramesh,J)

The writ appeals are directed against the interim order dated 14.12.2017 made in WMP Nos.11378 & 13698 of 2016 in W.P.No.13019 of 2016.

2. Heard the learned senior counsel appearing for the appellant and the learned counsel for the respondents.

3. The appellant joined the services of the respondent University as Assistant Registrar by direct recruitment on 01.8.1988. After the respondent College was granted the status of deemed University, a group of persons, including the appellant, were observed directly to the University. Thereafter, he was promoted as Deputy Registrar and after a period of five years, he was granted senior scale of pay. However, on 31.3.2016, the second respondent reverted the appellant from the post of Deputy Registrar to the post of Assistant Registrar with effect from 01.4.2016. Challenging the said order, the appellant filed writ petition and also obtained an order of interim stay. However, by the order impugned in this appeal, the interim stay was vacated, at the instance of the respondents. Hence, these writ appeals.

4. A perusal of the common order impugned in these writ appeals would reveal that while vacating the order of interim stay, the writ petition was directed to be listed for final disposal after a period of two weeks.

5. In view of the above, till a decision is taken in the writ petition by the learned single Judge, no coercive steps shall be taken by the respondents against the appellant herein. However, we leave it open to the learned single Judge to take a decision in accordance with law. Both the parties are at liberty to move the learned single Judge for the early disposal of the writ petition.

6. The writ appeals are disposed of accordingly. However, there shall be no order as to costs. Consequently, CMP Nos.22574 and 22575 of 2017 are closed.

Sd/-  
Assistant Registrar

//True copy//

Sub Assistant Registrar

kpl

TO

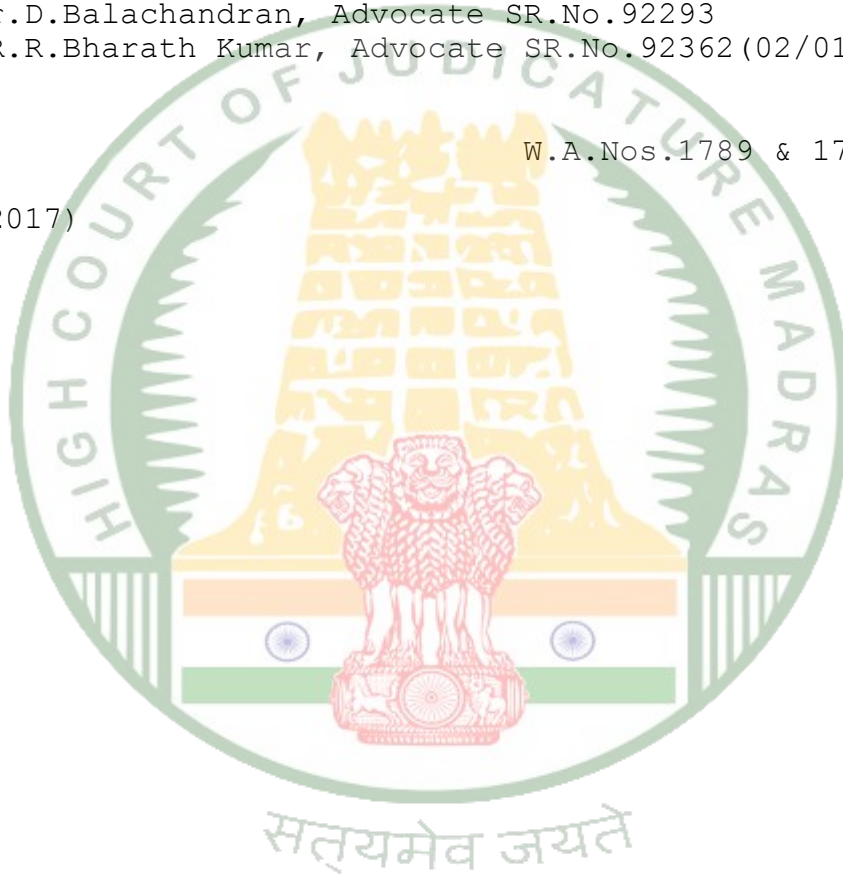
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Coimbatore 641 043, Coimbatore District.

+1cc to Mr.D.Balachandran, Advocate SR.No.92293

+1cc to MR.R.Bharath Kumar, Advocate SR.No.92362 (02/01/2018)

W.A.Nos.1789 & 1790 of 2017.

NMI (CO)  
GN(26/12/2017)



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