

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.23778 of 2017

and

W.M.P.No.25004 and 25005 of 2017

B.Arunvignesh

... Petitioner

vs.

The Principal, Government Arts College, (Autonomous)
Government Arts College Road,
Coimbatore - 641 018.

...Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari to call for the records in connection with the impugned order in Na.Ka.No.1389/K/2017 dated 03.08.2017 passed by the respondent suspending him from attending the classes and quash the same.

For Petitioner : Mr.M.Ramamoorthy

For Respondents : Mr.A.Kumar,
Special Government Pleader

ORDER

The petitioner, a 3rd year B.A. Tamil student at the respondent College, is aggrieved against the order of suspension dated 03.08.2017.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondent.

3. The impugned order of suspension was issued against the petitioner and 9 others on an allegation that they indulged in unlawful activities on 1.8.2017 thereby causing disturbance to the functioning of the College in a peaceful manner. According to the petitioner, he has not indulged in such activities as alleged and on the other hand, he is totally unconnected with the incident. It is further stated that the petitioner, through

representation dated 17.08.2017 sought for cancellation of the suspension order and the said representation has not been considered so far.

4. After notice, when the matter is taken up for hearing today, the learned Special Government Pleader, based on instruction, submitted that the suspension order issued against the other persons were revoked and all those students are permitted to attend the college pursuant to the conduct of an enquiry. He further submitted that those students were, however, imposed with another punishment of not participating in the internal examination conducted in the month of August, 2017. Therefore, he fairly submitted that the petitioner can approach the College and his claim will also be considered in the line of the permission granted to other persons as stated supra.

5. Considering the above stated facts and circumstances and the submissions made by the learned counsel appearing on either side and considering the fact that the respondent College has already chosen to withdraw the impugned order of suspension insofar as the other students are concerned, especially, when the allegation made against all the persons is common in nature, I do not think that there will be any impediment for the respondent to revoke the order of suspension in the case of the petitioner also and permit him to attend the Course continuously. Since the petitioner has now approached this Court and in the meantime time, the internal examination was also conducted already, I do not think that the petitioner is entitled to seek for participating in the internal examination in pursuant to the order passed in this writ petition. Needless to say that the petitioner should conduct himself in a disciplined manner and complete the course without giving any room for complaint whatsoever in future. Accordingly, this writ petition is allowed and the impugned order of suspension is set aside. Consequently, the respondent is directed to permit the petitioner to attend the college and continue the course in which he is studying. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

vsi

To

The Principal, Government Arts College,
(Autonomous) Government Arts College Road,
Coimbatore - 641 018.

+1cc to Mr.M.Ramamoorthy, Advocate, S.R.No.65812

W.P.No.23778 of 2017

AR(CS IV)
CS/12/09/17



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