

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Sixth day of September Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE S.M. SUBRAMANIAM

WMP No.14474 & 25363 of 2017

IN WP.13429/2017

1 DR.D.ASOKAN	[PETITIONER in WMP.14474 /2017]
S/O.S.DURAISAMY,	[1ST RESPONDENT in WMP.25363 /2017]
ASSISTANT PROFESSOR,	
ANNAMALAI NAGAR 608	
DEPARTMENT OF TAMIL STUDIES AND RESEARCH,	
ANNAMALAI UNIVERSITY, ANNAMALAI NAGAR 608 002	

Vs

1 THE SECRETARY	[1ST RESPONDENT in WMP.14474 /2017]
HIGHER EDUCATION DEPARTMENT,	[2ND RESPONDENT in WMP.25363 /2017]
SECRETARIAT,	
CHENNAI 600 009.	

2 THE DIRECTOR OF COLLEGE EDU	[2ND RESPONDENT in WMP.14474 /2017]
OFFICE OF THE DIRECTOR OF	[3RD RESPONDENT in WMP.25363 /2017]
ANNAMALAI NAGAR 608	
COLLEGIATE EDUCATION	
CHENNAI 600 006	

3 THE ANNAMALAI UNIVERSITY	[3RD RESPONDENT in WMP.14474 /2017]
REP.BY ITS REGISTRAR ,	[PETITIONER in WMP.25363 /2017]
ANNAMALAI NAGAR 608	
002, CUDDALORE DISTRICT	

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an interim stay of proceeding of the 2nd respondent in Na.Ka.No.28557/D5/2016 dated 12.05.2017 in respect of including petitioner in list of surplus teaching staff alone is concern and University order No.662/2017(c) dated 15.05.2017 issued by the 3rd respondent so as to enable petitioner to continue in 3rd Respondent University, (in WMP No.14474 of 2017)

(2) to vacate the interim order granted in WMP No.14474 of 2017 in WP No. 13429 dated 25.5.2017, and dismiss the writ

petition, with costs in WMP.No.25363 of 2017 pending disposal of this WP.13429/2017.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.T.DHARANI, the petitioner in WMP.14474 /2017 and 1ST RESPONDENT in WMP.25363 /2017 and of MR.K.DHANANJAYAN SPECIAL GOVERNMENT PLEADER R1&R2 [1ST RESPONDENT in WMP.14474 /2017][2ND RESPONDENT in WMP.25363 /2017][2ND RESPONDENT in WMP.14474 /2017][3RD RESPONDENT in WMP.25363 /2017] M/S.P.GODSON SWAMINATH FOR M/S.ISAAC CHAMBERS in 3RD RESPONDENT in WMP.14474 /2017] PETITIONER in WMP.25363 /2017] for the Respondents the court made the following order:-

The learned counsel appearing for the third respondent- Annamalai University filed the Miscellaneous Petition for vacating the interim order granted on 25.05.2017, by stating that the writ petitioner was relieved from the University and has joined in the Government College for Women (A) Kumbakonam on 16.05.2017. The Principal of the said College has also addressed a proceedings dated 17.5.2017, to the Director of Collegiate Education, Chennai.

2.The learned counsel appearing for the third respondent- University submitted that inspite of the fact that the writ petitioner was relieved from the post and joined in the Government College on 16.05.2017, he has filed the present Writ Petition on 23.05.2017, and obtained an interim order on 25.05.2017, by suppressing the fact that he had joined in the Government College for Women (A) Kumbakonam on 16.05.2017.

3.However, the learned counsel for the writ petitioner is unable to substantiate as to whether the writ petitioner has not joined duty in the Government College for Women (A) Kumbakonam on 16.05.2017 and the affidavit is also silent with regard to the said fact. In this view of the matter, the continuance of the interim order granted by this Court is not desirable.

4.Accordingly, the interim order of stay granted in WMP No.14474 of 2017 dated 25.05.2017, stands vacated and the Writ Miscellaneous Petition is dismissed. In view of the same, WMP No.25363 of 2017 for vacating the interim order stands allowed. Post the Writ Petition for final disposal in the usual course.

-sd/-
06/09/2017
/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO
1 THE SECRETARY
HIGHER EDUCATION DEPARTMENT, SECRETARIAT,
CHENNAI 600 009.

2 THE DIRECTOR OF COLLEGE EDU
OFFICE OF THE DIRECTOR OF COLLEGIATE
EDUCATION CHENNAI 600 006

3 THE ANNAMALAI UNIVERSITY
REP.BY ITS REGISTRAR , ANNAMALAI NAGAR 608
002, CUDDALORE DISTRICT

C.C. to M/S.T.DHARANI Advocate SR.No.11674

C.C. to M/S.ISAAC CHAMBERS Advocate SR.No.11671

The Government Advocate, High Court, Madras - 104.

Order

in
WMP No.14474 & 25363 of 2017
IN
WP.13429/2017

Date:06/09/2017

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