

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2017

Coram

The Honourable **Mr.HULUVADI G.RAMESH,**
ACTING CHIEF JUSTICE

and

The Honourable **Mr.Justice RMT.TEEKAA RAMAN**

C.S.NO.518 OF 2013
TRCS. NO.153 OF 2017 AND
W.P.NO.26261 OF 2016

C.S.No.518 of 2013:

1. G.V.Sampath
2. R.Sadanandam .. Plaintiffs

versus

1. M/s.Vellore Institute of Technology,
a Public Charitable Trust,
having its registered Office at
No.54, Thennamaram Street,
Vellore-632 001.
rep. by its Chairman and
Managing Trustee and Chancellor,
Shri G.Viswanathan

2. Vellore Institute of Technology (VIT University),
Katpadi-Tiruvalam Road,
Vellore-632 014.
rep. by its Registrar,
having Administrative Office at

No.W-73, Anna Nagar West,
Chennai-600 040.

3. G.Viswanathan
4. Sankar Viswanathan
5. Sekar Viswanathan
6. G.V.Selvam
7. G.Kanagasabapathy
8. S.Dharmaraja Chettiar
9. P.L.Mareddy
- 10.Sundari Reddy
- 11.Sandya Penta Reddy
- 12.A.Ravindran
- 13.R.Vijayakumar
- 14.C.Venkataswamy

.. Defendants

Prayer: This Suit is filed, praying for the following reliefs,

a) to frame a scheme for the proper conduct of the affairs of the first defendant Trust

b) to remove the defendants 3 to 11 from the post of Trusteeship and appoint an Administrator in the interregnum, pending framing of a scheme by this Court;

c) to direct the defendants to render true and proper accounts in respect of the 1st defendant Trust including that of the 2nd defendant from the year 2001 till date of taking of accounts; and

d) to reinstate the first plaintiff to the post of Vice President of the second defendant and allow the first plaintiff to discharge his duties as trustee of the first defendant trust of accounts.

For Plaintiffs: Mr.Prakash Goklaney

For Defendants: Mrs.Chitra Sampath, SC for
Mr.A.Saravanan for D1 to D11
Mr.R.Munusamy for D12
Mr.V.Lakshmi Narayanan for
D13 and D14

Mr.M.K.Kabir, SC
Spl.Designatee (appointed by Court)
assisted by Mr.S.S.Swaminathan

TR.C.S.No.153 of 2017:

G.V.Sampath .. Plaintiff

versus

1. M/s.Vellore Institute of Technology,
a Public Charitable Trust,
having its registered Office at
No.54, Thennamaram Street,
Vellore-632 001.
rep. by its Chairman and
Managing Trustee and Chancellor,
Shri G.Viswanathan

2. G.Viswanathan
3. Sankar Viswanathan
4. Sekar Viswanathan
5. G.V.Selvam
6. P.L.Mareddy
7. Sundari Reddy
8. Sandya Penta Reddy

.. Defendants

Prayer: The Suit is filed, praying for the following reliefs,

a) to declare the order of dated 16.7.2014, which was
passed by the 2nd defendant, on the basis of the alleged meeting

of defendants 2 to 8 of the 1st defendant removing the plaintiff from the Trusteeship of Vellore Institute of Technology Trust, as null and void, arbitrary, contrary to the law and violation of principles of natural justice.

b) to grant permanent injunction restraining the defendants 2 to 8, their men, agents and subordinates or any one claiming through them from preventing the plaintiff from discharging his functions as Trustee of the 1st defendant,

c) to direct the defendants 2 to 8, joint and severally, to pay a compensation of Rs.10,00,000.00 as damages for the pain, mental agony and harassment caused to the plaintiff.

For Plaintiffs: Mr.Prakash Goklaney

For Defendants: Mrs.Chitra Sampath, SC for
Mr.A.Saravanan for

Mr.M.K.Kabir, SC
Spl.Designatee (appointed by Court)
assisted by Mr.S.S.Swaminathan

W.P.No.26261 of 2016:

G.V.Sampath

.. Petitioner

Versus

- 1 Union of India
Rep by its Secretary to Government,
Ministry of Human Resource Development,
Department of Higher Education,
Shastri Bhavan New Delhi

- 2 University Grants Commission
Rep by its Secretary.
Bahadur Shah Zafar Marg
New Delhi-110 002.
- 3 Vellore Institute of Technology
Rep by its Registrar,
Katpadi-Thiruvalam Road,
Vellore- 632 014.
- 4 Shri.G.Viswanathan
Chancellor Vellore Institute of Technology
Katpadi Thiruvalam Road,
Vellore- 632 014
- 5 The Pro-Vice Chancellor
Chennai Campus,
Vellore Institute of Technology,
Vandalur Kelambakkam Road
Melkottaiyur Village,
Kancheepuram District-600 127.
- 6 G.V.Selvam
Vice President- Chennai Campus (2010-2013)
Vellore Institute of Technology,
Vandalur Kelambakkam Road,
Melkottaiyur Village
Kancheepuram Dt-600127 .. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to retrospectively validate the degrees issued by the respondents 3 - 6 for the courses held between 2010 and 2013 at the Chennai Campus of the Vellore Institute of Technology (VIT University).

For Petitioner : Mr.V.Lakshminarayanan

For Respondents: Mrs.S.Meena Kumari, GSC for R1

Mr.P.G.Gopinathan for R2

Mr.G.Viswanathan for R3

Mr.K.Purushothaman for R4

Mr.A.Saravanan for R5

Mr.N.Ganesh Kumar for R6

COMMON JUDGMENT

(Judgment of the Court was made by
THE ACTING CHIEF JUSTICE)

Having heard the learned counsel on either side, this Court has passed a comprehensive order on 09.03.2017, which reads as under:

"It is informed by the learned counsel appearing for the respective parties, that their parties have agreed to settle the matter on the terms, which are hitherto mentioned below, to which the parties present before the Court also agree :-

i) It is accepted on behalf of all the parties that they agree to appoint Mr.M.K.Kabir, Senior Advocate, as Special Designatee in terms of the understanding and compromise arrived at between the parties for amicable completion of the settlement as per the compromise deed dated 12.01.2017.

ii) The parties have agreed that the cheque as per the compromise deed dated 12.01.2017 will be handed over to Mr.M.K.Kabir, Senior Advocate for the purpose of satisfying clause 3 (3) of the above compromise deed and the same will be handed over by the end of this evening, i.e., 9.3.2017.

iii) Insofar as the amounts to be paid to the vendor towards purchase of the land, the same will be handed over directly to the vendor at the time of registration of the property, i.e., on 10.03.2017.

iv) Insofar as vacating the canteen and belonging therein are concerned, the caterer, Mr.Punniyakoti, who is present in Court, accepts to vacate the canteen and remove his belongings by the evening of 11.3.2017 and in lieu thereof, the amounts payable to him to the tune of Rs.1,50,00,000/= (Rupees One Crore and Fifty Lakhs only) would be handed over by way of cheque to Mr.M.K.Kabir, Senior Advocate, who shall hand over the cheque to the caterer, Mr.Punniyakoti, on satisfactory completion of removal of the articles. The 1st & 2nd defendant in C.S. No.518/2013 shall hand over a letter regarding receipt of possession of the premises from Mr.Punniyakotti to Mr.M.K.Kabir. The cheque will be handed over to Mr.M.K.Kabir by the end of this evening, i.e., 9.3.2017.

v) The suits in O.S. Nos.71/2013 and 59/2015 on the file of the District Judge, Vellore and RCOP No.8/2014 on the file of the District Munsif at Katpadi, filed by the respective parties,

shall be withdrawn as undertaken by them before this Court today.

vi) The criminal proceeding initiated by the complainant, in Crime No.383/2014, which is said to be pending on the file of Judicial Magistrate, Katpadi, shall be withdrawn by the complainant, as undertaken by Mr.Punniyakoti before this Court today.

vii) The suits filed by the employer/management against the workmen/employees shall stand withdrawn, as the parties have agreed to settle the issue.

After having read over the contents of the above, the parties, as also their respective counsel, who are present before this Court today, agree to the above contents and accordingly, affix their signatures as under :-

<u>Counsel</u>	<u>Parties</u>
1) Harshad Gokalaney	1) G.V.Sampath
	2) R.Sadanandam
2) A.Saravanan	
3) R.Munusamy	1) A.Ravindran
4) V.Lakshmi Narayanan	1) R.Vijayakumar
	2) C.Venkataswamy
	1) K.G.Punniyakotti

2. This Court having examined the matter in depth is of the opinion that allegations though have made, however, to give a quietus to the issue have undertaken this task and, therefore, for settling the issue, this Court in exercise of its

jurisdiction under Section 482 of the Criminal Procedure Code, 1973, directs that the concerned Magistrate dealing with Crime No.323/2014 on the file of Inspector of Police, Katpadi Police Station, to permit the complainant to withdrawn the said case. The Judicial Magistrate, Katpadi, shall take immediate steps to close the matter on production of a copy of this order.

3. List the matter for reporting compliance and closing the matter on 15.3.2017 at 4.30 p.m."

2. Pursuant to the above, today, the respective learned counsel appearing for the parties would submit that the above said terms have been duly complied with and a Joint Memo of Compliance is also placed before this Court. Therefore, the learned respective counsel pray this Court to close all the captioned matters.

3. In view of the above, while taking the Joint Memo of Compromise on record, all the captioned matters, viz., C.S.No.518 of 2013, TR.C.S.No.153 of 2017 and W.P.No.26261 of 2016 along with consequential Miscellaneous Petitions if any, are hereby closed. The parties shall bear their own costs.

The Registry is directed to return the original documents filed in these matters, viz., resignation letter, NoC, etc., to the parties concerned, forthwith under due acknowledgement.

Suk

(H.G.R., A.C.J.) (T.K.R., J.)
16.03.2017

Note: Issue copy of the judgment
by 17.03.2017

To

- 1 Union of India
Rep by its Secretary to Government,
Ministry of Human Resource Development,
Department of Higher Education,
Shastri Bhavan New Delhi
- 2 University Grants Commission
Rep by its Secretary.
Bahadur Shah Zafar Marg
New Delhi-110 002.
- 3 Vellore Institute of Technology
Rep by its Registrar,
Katpadi-Thiruvalam Road,
Vellore- 632 014.
- 4 Shri.G.Viswanathan
Chancellor Vellore Institute of Technology
Katpadi Thiruvalam Road,
Vellore- 632 014
- 5 The Pro-Vice Chancellor
Chennai Campus,
Vellore Institute of Technology,

Vandalur Kelambakkam Road
Melkottaiyur Village,
Kancheepuram District-600 127.

- 6 G.V.Selvam
Vice President- Chennai Campus (2010-2013)
Vellore Institute of Technology,
Vandalur Kelambakkam Road,
Melkottaiyur Village
Kancheepuram Dt-600127

HULUVADI G.RAMESH, A.C.J.

and

RMT.TEEKAA RAMAN, J.

suk

C.S.NO.518 OF 2013
TRCS.153 OF 2017 AND
W.P.NO.26261 OF 2016

16.03.2016

<http://www.judis.nic.in>