



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A. (MD) No.733 of 2017 and
C.M.P. (MD) No.5505 of 2017

Usha Sharma

... Appellant

-vs-

1. Madurai Kamaraj University
Represented by its The Registrar
Madurai District

2. The Vice Chancellor
Madurai Kamaraj University
Madurai District

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 17.09.2014, made in W.P. (MD) No.2205 of 2013, on the file of this Court.

Prayer in WP (MD). 2205/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of WRIT OF CERTIORARIIFIED MANDAMUS, to call for the records peratining to the impugned communication in Lr. No.7934/UE-C/MKU/2012 dated 31-01-2013 on the file of the Respondent No.1 and quash the same as illegal and consequently to direct the Respondent No.1 to permit the Petitioner to reside in the Living Quarters within the Respondent University Campus preferably the Lecturers Quarters.

For Appellants : Mr.T.Lajapathi Roy
For Respondents : Mr.M.Muthu Geethayan
Standing Counsel for R1 & R2

J U D G M E N T

[Judgment of the Court by T.S.SIVAGNANAM, J.]

Heard Mr.T.Lajapathi Roy, learned counsel appearing for the appellant, Mr.M.Muthu Geethayan, learned Standing Counsel appearing for the first respondent and perused the materials placed on record.

2. This writ appeal by the writ petitioner, is directed against the order dated 17.09.2014, made in W.P. (MD) No.2205 of 2013, which was filed challenging the communication of the first respondent, dated 31.01.2013, pertaining to a quarters allotted to her. The



said writ petition was dismissed by the impugned order, dated 17.09.2014.

3. When we heard the matter at the condone delay stage, we *prima facie* found that there is no error in the order passed by the first respondent and that the appellant cannot insist that she should be permitted to stay within the campus. The respondents were magnanimously informed to allot a comfortable quarters to the appellant, namely, C-18 and directed the appellant to vacate and handover the quarters, namely, MRS-31, wherein she is presently staying. Thus, we made it clear that we are inclined to affirm the order passed in the writ petition and dismiss the appeal and gave an option to the appellant to accept C-18 quarters, which is also a quarters meant for University employees and as many as eighteen families are staying therein and therefore, the appellant would not have any grievance. At that juncture, the learned counsel appearing for the appellant sought for adjournment to get instructions from his client.

4. Today (15.06.2017), when the matter was taken up for hearing, the learned counsel for the appellant submitted that the appellant will vacate and handover MRS-31 quarters and shift to C-18 quarters.

5. In view of the above, the writ appeal fails and it is dismissed and the appellant is directed to vacate MRS-31 quarters on or before 01.07.2017 and shall be allotted C-18 quarters for occupation with effect from 01.07.2017. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To:

1. The Registrar,
Madurai Kamaraj University,
Madurai District.

2. The Vice Chancellor,
Madurai Kamaraj University,
Madurai District.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 60884

IA/KRK

TE/SKN-RSK/SAR-I : 29/06/2017 : 2P/4C

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15.06.2017