

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.04.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.7535 of 2018

M.Alex Leon

...Petitioner

Vs

1. Loyola College (Autonomous),
Rep.by its Secretary & Correspondent
Nungambakkam,
Chennai - 600 034.

2.Mr.V.Paul Das,
Enquiry Officer,
C/o.Loyola College, (Autonomous),
Nungambakkam,
Chennai - 600 034.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Certiorarified Mandamus calling for the records relating to the dismissal order dated 23.02.2018 passed against the petitioner by the 1st respondent and Quash the same and consequently directing the 1st respondent to reinstate the petitioner with all monetary benefits.

For Petitioner : Mr.N.Poovanalingam

For Respondents: M/s.H.Mery Sowmi Rexi
for M/s.Isaac Chambers for R1

सत्यमेव जयते
O R D E R

The present writ petition is filed challenging the order of dismissal dated 23.02.2018 issued by the first respondent, which is an autonomous Private College.

2.The writ petitioner is an employee of the first respondent/College and on account of certain allegations, disciplinary proceedings were initiated and after conducting an enquiry, he was dismissed from service. However, the writ petition is filed against the private College, which is not a "State" within the meaning of Article 12 of the Constitution of India.

3.This apart, there is a statutory appeal provided under the Private Colleges' Regulations Act and the writ petitioner has to approach the appellate authority for the purpose of redressing his grievance.

4.At this juncture, the learned counsel appearing on behalf of the writ petitioner seeks liberty to prefer an appeal and further, has chosen to withdraw the writ petition.

5.Accordingly, liberty is granted to prefer an appeal before the Competent Authority and the writ petitioner is permitted to withdraw the writ petition and this writ petition is dismissed as withdrawn. However, there is no order as to costs.

Sd/-
Assistant Registrar (CS VI)

//True copy//

Sub Assistant Registrar

maya

+1cc to Mr.A.John Britto, Advocate SR.No.24596

+1cc to Mr.Isaac Chmbers, Advocate SR.No.25725

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RJI (CO)
GN (17/04/2018)

सत्यमेव जयते

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