IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.10.2018

CORAM

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

W.P.No.4914 of 2013

Association of University Teachers (AUT),
Rep. by its Chairman,
Quaide Milleth College for Men Unit,
Medavakkam, Chennai. ...Petitioner

vs

1. The Secretary cum Correspondent,
   Quaide Milleth College for Men,
   Medavakkam, Chennai.

2. Director of Collegiate Education,
   EVK Sambath Building,
   College Road, Chennai-6.

3. Dr.A.Rafi,
   Associate Professor of Commerce.

4. Dr.D.Ayubkhan Dawood,
   Associate Professor of Commerce.

5. M.Mohamed Hashim,
   Associate Professor of Commerce.

6. H.Hamanullah,
   Associate Professor of Commerce.

7. S.Mohamed Sali,
   Associate Professor of Co-operation,
   Respondents 3 to 7 at Quaide Milleth College for Men,
   Medavakkam, Chennai-100.

...Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider and dispose of the petitioner representation dated 13.2.2013 on merit in accordance with law.

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For Petitioner : G.Shakthivel
for M/s.Siraj and Siraj

For Respondents : No appearance for R1

Mr.Karthikeyan
Government Advocate for R2

Mr.N.A.Nissar Ahamed for R3 & R4

Mr.G.Sankaran for R5

Dr.R.Sampath Kumar for R6

Mr.C.Deivasigamani for R7

O R D E R

The relief sought for in the present writ petition is for a direction to direct the first respondent to consider and dispose of the petitioner representation dated 13.02.2013 on merit and in accordance with law.

2. The writ petitioner is an Association of University teachers, represented by Chairman. The representation submitted on 13.02.2013 is enclosed on Page No.13 of the typed set of papers filed along with the present writ petition. It is relation to the actions initiated by the management in respect of certain misconducts committed by the staff members of the college. The Association claims that the disciplinary proceedings are to be initiated against the Associate Professors for their misconduct.

3. This Court is of an opinion that, it is for the management of the college to conduct an enquiry if necessary and initiate actions in accordance with the procedures contemplated. However, an Association cannot file a representation for the purpose of initiating actions against the professors on certain grounds. If at all, any irregularity or misconduct is identified, the Association shall submit a representation to the management enabling them to conduct an enquiry and proceed with the matter.

4. With these observations the present writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

pns

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To

1. The Secretary cum Correspondent,
   Quaide Milleth College for Men,
   Medavakkam, Chennai.

2. Director of Collegiate Education,
   EVK Sambath Building,
   College Road, Chennai-6.

+1cc to Mr.M.A.Nissar Ahmed, Advocate, S.R.No.72977
+1cc to Mr.G.Sankaran, Advocate, S.R.No.73262
+1cc to the Government Pleader, S.R.No.73896

W.P.No.4914 of 2013

KS(CO)

rrs 16/11/2018

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