

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.05.2018

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.11731 of 2018
and
W.M.P.Nos.13701 to 13704 of 2018

1.M.Kantharajan
2.S.Jabasingh Inbaraj
3.V.Vijayendiran

.. Petitioners

/versus/

1.The State of Tamil Nadu,
represented by its Secretary to Government,
Law Department,
Fort St. George,
Chennai 600 009.

2.The Director of Legal Studies,
Kilpauk, Chennai 600 010.

3.The Principal,
Dr.Ambedkar Govt.Law College,
Chennai.

... Respondents

Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorified Mandamus to call for the entire records connected with the order of impugned order of the second respondent made in proceedings order No.956/A3/2018, 1 and 2 dated 11.04.2018 on the file of the second respondent and direct the 2nd respondent to permit the petitioner to complete the Bachelor of Law Course of Dr.Ambedkar Government Law College, Chennai.

For Petitioners :Mr.A.Ashvathaman
For Respondents :Mr.P.Raja, GA for R1

O R D E R

This Writ Petition is filed by three students of Dr.Ambedkar Law University. They challenged the order of the Director of Legal Studies dated 11.04.2018 transferring them from Dr.Ambedkar Government Law College, Chennai to Coimbatore Government Law College, Trichy Government Law College and Madurai Government Law College respectively.

2. The contention of the petitioners herein is that they are very innocent and the order of transfer by nature of punishment has been imposed without affording any reasonable opportunity to them. Since the transfer order is punitive in nature and violating the natural justice principle, the same has to be quashed.

3. Impugned order perused.

4. It is self-explanatory and issued in the interest of the institution and in the interest of the students, who are seriously pursuing legal education. The incidents mentioned in the impugned order deserves very serious action at the hands of the administration. However, the 2nd respondent the Director of Legal Studies has only transferred them from Dr.Ambedkar Govt Law College Chennai to the other Colleges so as to restore the cordial atmosphere in Dr.Ambedkar Government Law College as well as to protect the interest of the petitioners herein pursuing their studies.

5. The antecedents of these petitioners extracted in the impugned order includes clash with co-students using deadly weapon as well as assault on teaching staff, which has led to temporary suspension of them from the College. It is also seen from the impugned order that, these petitioners were later admitted in the college, after revocation of the suspension, based on the undertaking given by them that they will maintain good conduct. But, the records reveals that they have breached the undertaking. They have threatened to commit suicide by climbing the terrace of the building. In the nature of this case, where the petitioners herein have not mended their behaviour, despite diligence shown to them, requires serious action. What is done in the impugned order is less than adequate.

6. Therefore, this Court dismiss the writ petition as de-void of merits with a direction to the 2nd respondent that if these petitioners does not behave properly in the transferred college and come to the adverse notice, no further indulgence or leniency should be shown to them.

7. According, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

ari
To

1.The Secretary to Government,
State of Tamil Nadu,
Law Department,
Fort St. George,
Chennai 600 009.

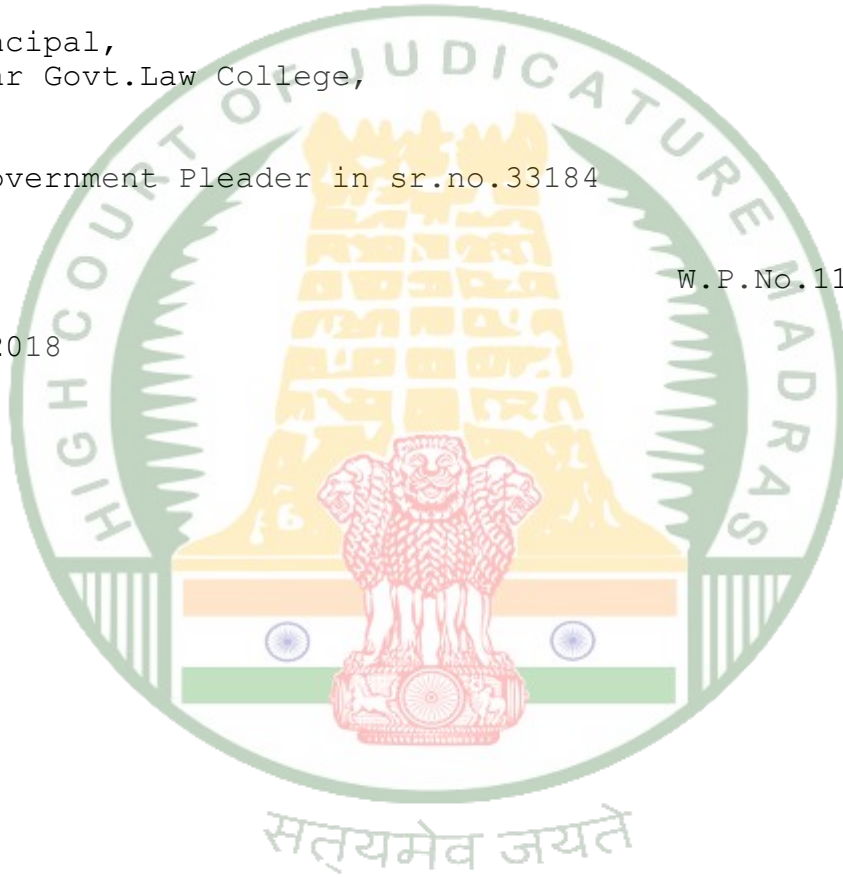
2.The Director of Legal Studies,
Kilpauk, Chennai 600 010.

3.The Principal,
Dr.Ambedkar Govt.Law College,
Chennai.

+1cc to Government Pleader in sr.no.33184

W.P.No.11731 of 2018

nr 16/05/2018



WEB COPY