



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.2943 & 2944 of 2018

and

W.M.P.(MD).Nos.3110 to 3113 of 2018

Perumal

... Petitioner in W.P.(MD).No.2943 of 2018

Petchi

... Petitioner in W.P.(MD).No.2944 of 2018

Vs.

The Registrar,
Madurai Kamaraj University,
Palgalai Nager,
Madurai-21.

... Respondent in both Writ Petitions

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order of Suspension passed by the respondent dated 11.12.2015 made in Memorandum No.Pa.Aa.Pe.4/2015 and to quash the same and consequently direct the respondent herein to allow the petitioners (Staff Nos.5512, 5633) to join duty in the Respondent University as Office Assistant.

In all Writ Petitions

For Petitioners : Mr.S.Veeranasamy
For Respondent : Mr.Prabhu
For Isaac Chambers

COMMON ORDER

Heard the learned counsel on either side.

2.The petitioners are the husband and wife. Both are employed in Madurai Kamaraj University as casual labour. Three cases of job racketing herein have been registered against the petitioners. In this regard, FIRs were registered in two criminal cases. Final reports have also been filed. Considering the gravity of the allegations, the University suspended both the petitioners from service. The order of Suspension was passed as early as on 11.12.2015.



3.The learned counsel appearing for the petitioners would submit that considering the prolonged nature of suspension, the petitioners should be ordered to be reinstated.

4. It is true that no disciplinary action has been initiated so far. It is true that the Hon'ble Supreme Court in **AjayKumar Chowdary's case** had held that if a charge memo is not served within 90 days, the order of suspension will have to be reviewed. But then, in this case, the petitioners' suspension has become warranted more on account of their implication in the criminal cases. Taking note of the fact that the petitioners have been arrayed as accused involved in job racketing, this Court does not have any hesitation to dismiss the Writ Petition. There is no merit in these Writ Petitions.

5.The Writ Petitions stand dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

+ 1 CC TO M/s.ISAAC CHAMBERS, IN SR No. 51029
+ 1 CC TO Mr.S.VEERANASAMY, ADVOCATE IN SR No. 51001

TSG
TE/PN/SAR-2 : 04/07/2018 : 2P/3C

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