



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2018

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**THE HON'BLE MR.JUSTICE R.SURESH KUMAR**

W.P.(MD) Nos.8505 to 8519 of 2018 and  
and W.M.P.Nos.8010 to 8027 of 2018 and  
W.P.(MD) No.8520 of 2018, 10200 to 10202 of 2018  
and WMP Nos.9261 to 9265 of 2018, 8027 & 8028 of 2018

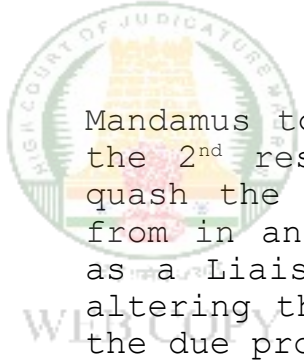
|                           |                                       |
|---------------------------|---------------------------------------|
| L.SIVAKUMAR               | : PETITIONER IN WP (MD) No.8505/2018  |
| T.ANILKUMAR               | : PETITIONER IN WP (MD) No.8506/2018  |
| R.RAJAN BABU              | : PETITIONER IN WP (MD) No.8507/2018  |
| K.VISHAKAN                | : PETITIONER IN WP (MD) No.8508/2018  |
| R.KANNAN                  | : PETITIONER IN WP (MD) No.8509/2018  |
| S.SRINIVASAN              | : PETITIONER IN WP (MD) No.8510/2018  |
| M.SELVARAJ                | : PETITIONER IN WP (MD) No.8511/2018  |
| R.THIRUKUMARAN            | : PETITIONER IN WP (MD) No.8512/2018  |
| S.S.HEPHZIBAJ JEEVI       | : PETITIONER IN WP (MD) No.8513/2018  |
| G.VIKINS                  | : PETITIONER IN WP (MD) No.8514/2018  |
| V.BARATHIRAJ              | : PETITIONER IN WP (MD) No.8515/2018  |
| TMT.P.JOSMIN SUGIRTHA BEL | : PETITIONER IN WP (MD) No.8516/2018  |
| TMT.N.SANJITHA            | : PETITIONER IN WP (MD) No.8517/2018  |
| J.ANTO JOHN STEPHENO      | : PETITIONER IN WP (MD) No.8518/2018  |
| R.SIVA                    | : PETITIONER IN WP (MD) No.8519/2018  |
| A.SYED ALI                | : PETITIONER IN WP (MD) No.8520/2018  |
| N.RAVIKARUN               | : PETITIONER IN WP (MD) No.10200/2018 |
| S.BOSE                    | : PETITIONER IN WP (MD) No.10201/2018 |
| P.VELLADURAI              | : PETITIONER IN WP (MD) No.10202/2018 |

**-vs-**

1. THE STATE OF TAMIL NADU,  
REP. BY SECRETARY TO GOVERNMENT,  
HIGHER EDUCATION DEPARTMENT,  
FORT ST. GEORGE,  
CHENNAI 600 009.

2. THE REGISTRAR (INCHARGE)  
ANNAMALAI UNIVERSITY,  
ANNAMALAI NAGAR,  
CHIDAMBARAM.

: RESPONDENTS IN ALL WPS



Mandamus to call for the records relating to the impugned order of the 2<sup>nd</sup> respondent in Ref.No.C1-10/21851/2018 dated 02.04.2018 and quash the same and consequently forbearing the respondents herein from in any way affecting the service conditions of the petitioner as a Liaison Officer in the existing scale of pay or in any way altering the service conditions of the petitioner without following the due process of law.

For Petitioners      Mr.C.Jegannathan for  
                                  M/s.Veera Associates (in all Wps)  
 For Respondents:   Mrs.S.Srimathy (in all Wps)  
                                  Special Government Pleader for R1  
                                  Mr.C.Venkatesh Kumar for  
                                  M/s.Ajmal Associates for R2 (in all Wps)

### **COMMON ORDER**

In all these writ petitions, the respective petitioners have challenged the notices issued by the respondent University, namely, Annamalai University, whereby they proposed to redesignate them from the post of Special Officers into Assistant Section Officers and the University sought for their response. Challenging these orders, the petitioners moved these writ petitions.

2. Heard the learned counsel for the petitioners, learned Special Government Pleader for the first respondent and the learned standing counsel for the second respondent University.

3. Notice had been issued to the respondent University. In response to the same, the learned standing counsel appearing for the respondent University appeared and submitted that, similar writ petitions were filed before the Principal seat at Chennai, where also similar notices issued by the University were under challenge. In the said batch cases in W.P.No.9609 etc batch of 2018, which were pending before the Principal seat at Chennai, the respondent University filed a common affidavit, where the University has taken a stand that on legal advice, the University has decided to withdraw all such show cause notices/impugned notices with liberty to issue fresh notices and by giving reasonable opportunity to the petitioners and thereafter, a decision would be taken.

4. The learned standing counsel for the respondent University has produced a copy of the said common affidavit in W.P.No.9609/2018 etc batch at Principal seat and further submitted that, the University wants to adopt the stand taken in the said batch of cases, here also and therefore, based on that, the contents made by the University, in the said common affidavit, can be taken as the contents of the University before this Court in the batch of these cases also.



5. For the sake of clarity, the relevant portion of the said common affidavit filed by the University is extracted hereunder:

"2.I submit that these writ petitions have been filed by the Zonal Officer/Liaison Officers/Special Officers Grade-I/Special Officers Grade-II challenging the Notice given by the University regarding their re-designation as Assistant Section Officers/equivalent positions and the consequent revision of their pay scales.

3.I submit that pursuant to the opinion taken from the Legal Counsel, the University has decided to withdraw the said notices impugned in all these writ petitions with the permission of this Hon'ble Court so as to issue fresh show cause notices to all these Zonal Officer/Liaison Officers/Special Officers Grade-I/Special Officers Grade-II before taking any such decisions on re-designation. This respondent humbly prays for such permission from this Hon'ble Court.

4.In view of the above, the impugned Notices would all stand withdrawn. The University however reserves the right to proceed afresh by giving opportunities to these Zonal Officer/Liaison Officers/Special Officers Grade-I/Special Officers Grade-II to submit their respective remarks/explanation before any such decision on their re-designation would be taken by the University.

5.Hence, it is humbly prayed that this Hon'ble Court may be pleased to take the above on record and dismiss the Writ petitions, and thus render justice."

6. Since the University has come forward by taking a stand that University wants to withdraw the impugned notices issued in respect of all these writ petitioners with liberty to issue fresh notices giving opportunity to the petitioners and they also pleaded before this Court that recording the said stand taken by the University, the writ petitions can be disposed of, this Court, by taking on record the contents of the University, as has been extracted above, is inclined to pass the following order:

"That the stand taken by the University in withdrawing the impugned notices is hereby recorded. The University will be at liberty to initiate further action by way of show cause notices by giving opportunity to the petitioners with regard to their proposals.

2.If such notices are received afresh from the University, the respective petitioners shall give reply to the same and based on which, the University will act upon."

7. In view of the above, the challenge made in these writ petitions, since become infructuous, by recording the above stand of the University, all these writ petitions are dismissed. However,



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there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are also dismissed.

Sd/-  
Assistant Registrar ()

/True Copy/

Sub Assistant Registrar (CS-)

**To:**

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

2. The Registrar (incharge)  
Annamalai University,  
Annamalai nagar,  
Chidambaram.

+ 1 CC TO M/s.AJMAL ASSOCIATES, IN SR No. 72088  
+ 2 CC TO M/s.VEERA ASSOCIATES, IN SR No. 72405 & 72406

RR  
TE/SKN/SAR-4 : 04/12/2018 : 4P/6C

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and W.M.P.Nos.8010 to 8027 of 2018 and  
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