



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**
AND
THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**

W.A.[MD].Nos.943 & 944 of 2018 and
C.M.P.[MD].Nos.6284 to 6286 of 2018 in
W.P. (MD).Nos.2943 & 2944 of 2018

Perumal : Appellant in W.A.(MD)No.943/18
Petchi : Appellant in W.A.(MD)No.944/18

Vs.

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

: Respondent in both W.As

COMMON PRAYER: Writ Appeals filed under Clause 15 of the Letters Patent Act to set aside the common order dated 23.02.2018 made in W.P.(MD).Nos.2943 & 2944 of 2018.

Prayer in WP(MD)Nos.2943 and 2944 2018 :

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 petitioner (Staff Nos. 5512, 5633) to join duty in the Respondent University as office assistant.

For Appellants : Mr.S.Veeranasamy
For Respondent : Mr.I.Cibi Chakarabarthi
for M/s.Issac Chambers
(In both W.As)

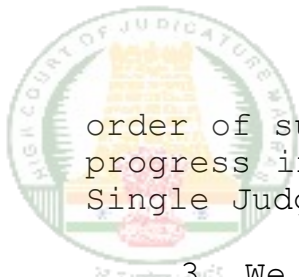
COMMON JUDGMENT

[Judgment of the Court was delivered by M.M.SUNDRESH, J.]

These appeals have been preferred against the order passed by the learned Single Judge, who declined to interfere with the order of suspension pending criminal cases.

<https://hcservices.ecourts.gov.in/hcservices>

2. The learned Counsel for the appellants would submit that the



order of suspension is in force for more than two years. There is no progress in the criminal cases. Therefore, the order of the learned Single Judge has to be interfered with.

3. We do not find any merits in these writ appeals. As long as the power is available, coupled with the fact that order of suspension is only pending criminal cases, the merits of the case cannot be gone into. However, taking into consideration of the fact that FIRs have been registered three years ago, we direct the Inspector of Police, Nagamalai Pudukottai Police Station, Madurai, to file final report within a period of eight weeks from the date of receipt of a copy of this judgment.

4. The appellants also are at liberty to approach the respondent seeking review of the order of suspension. As and when such request / representation is made, the same will have to be considered by the respondent, without taking into account the order / judgment passed by the learned Single Judge as well as by us, within a period of eight weeks from the date of receipt of such request / representation. It is made clear that as much as there is no Vice Chancellor is available, the Convenor Committee can take a decision in this regard.

5. With the above observations and directions, these writ appeals are disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-I)

To

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

Copy To:-

The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai.

+ 2 CC TO Mr.S.VEEERANASAMY, ADVOCATE IN SR No. 80322
+ 2 CC TO M/s.ISAAC CHAMBERS, ADVOCATE IN SR No. 79989 & 79990

GK

TE/SKN/SAR-1 : 10/09/2018 : 2P/7C