

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 6132 of 2018
and
W.M.P.No.7554 of 2018

Dr.Mrs.R.Sethulatha

...Petitioner

vs

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

2. The Director of Collegiate Education,
College Road,
Egmore,
Chennai - 600 008.

3. The Principal,
Presidency College,
Chepauk, Chennai - 600 005.

4. Dr.R.Gowri Shankar

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 constitute a fresh complaints committee to enquire the complaint dated 27.03.2017 given by the Petitioner to the 3rd respondent as contemplated under Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

For Petitioner : Mr.T.Thiageswaran
for M/s.Waraon and Sai Rams

For Respondents: Mr.V.Kathirvelu
Special Government Pleader,
for R1 to R3.

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents 1 to 3, to constitute a fresh

complaints committee to enquire the complaint dated 27.03.2017 given by the petitioner to the 3rd respondent as contemplated under Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

2. The very same writ petitioner Dr.Mrs.R.Sethulatha earlier filed W.P.No.18130 of 2017 with a prayer to direct the respondents 1 to 3 to constitute complaints committee strictly as contemplated under Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 by including the third party among the non-governmental organisations.

3. This Court considered the entire issue and passed an order elaborately on 25.07.2017, granting the relief to the writ petitioner. Pursuant to the orders of this Court, the respondents also constituted committee in accordance with the provisions of the Act and the Committee also completed the enquiry and submitted its report. Based on the report, all further actions are also in progress.

4. This being the factum, the writ petitioner ought not to have chosen to file the present writ petition with almost the same prayer which is highly unwarranted. Such a conduct of the writ petitioner is to be deprecated and this Court would not appreciate such a conduct of filing yet another writ petition almost with the same prayer, when the proceedings are in progress and the enquiry report also has been submitted.

5. At this Juncture, the learned counsel for the writ petitioner made a submission that the writ petitioner is willing to withdraw the writ petition. In view of the said submission, the petitioner is permitted to withdraw the petition.

6. The Special Government Pleader also brought to the notice of this Court that the earlier order of this Court dated 25.07.2017 in W.P.No.18130 of 2017 also has been complied with.

7. Accordingly, the writ petition stands dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

kak/kmm

To

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

2. The Director of Collegiate Education,
College Road,
Egmore,
Chennai - 600 008.

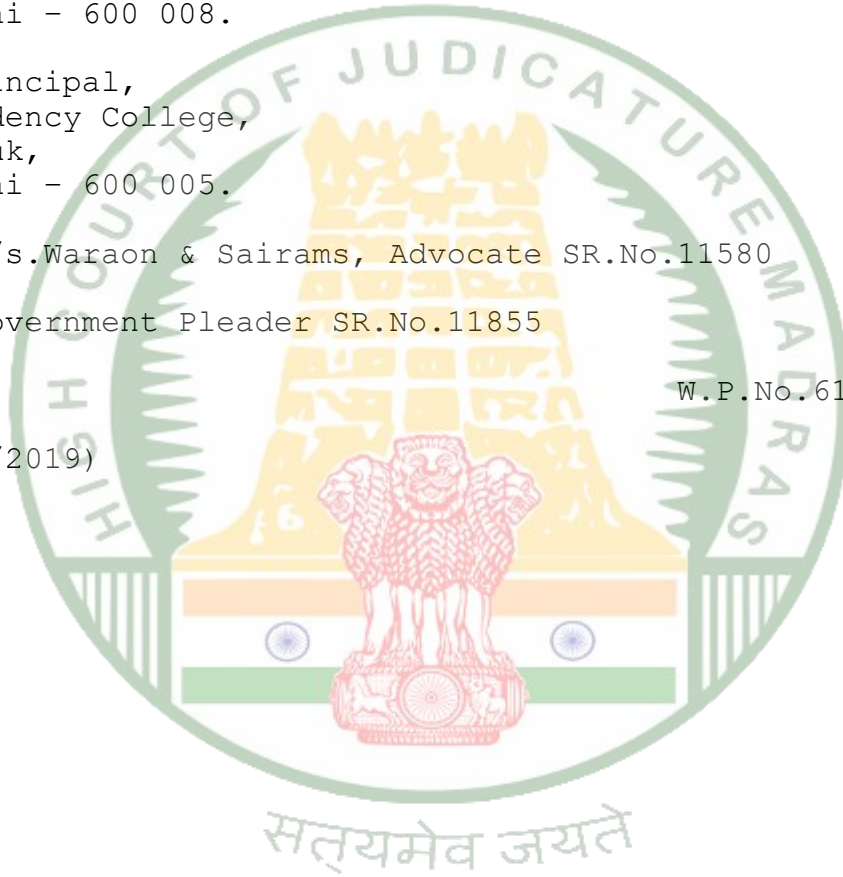
3. The Principal,
Presidency College,
Chepauk,
Chennai - 600 005.

+1cc to M/s.Waraon & Sairams, Advocate SR.No.11580

+1cc to Government Pleader SR.No.11855

W.P.No.6132 of 2018

SV(CO)
GMY(12/03/2019)



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