

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :08.03.2019
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.16679 of 2018
and
W.M.P.Nos.19890 of 2018 & 38 of 2019

Dr.I.Amalraj
Assistant Professor &
Research Supervisor,
Department of Tamil,
Loyola Collage, Nungambakkam,
Chennai 600 034. ..Petitioner

vs

- 1.The Secretary and Correspondent
Loyola Collage, Nungambakkam,
Chennai - 600 034.
- 2.Rev.Fr.Provincial,
Madurai Jesuit Province,
Governing Body Chairman of Loyola College
St.Mary's Residence, P.Box No.6,
Dindigul - 624 001.
- 3.The State of Tamil Nadu,
Rep by its Secretary
Education Department,
Fort St.George, Chennai - 600 009.
- 4.The Director of College Education,
9th Floor, EVK Sampath Building
College Road,
Chennai - 600 006.
- 5.The Regional Joint Director of College Education,
Office of the Regional Joint Director
of College Education,
Institute of Advanced
Study in Education Campus, Saidapet,
Chennai 600015. .. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue the Writ of
Certiorari to call for the records of Show Cause Notice

dated 12.06.2018, on the file of first respondent and quash the same.

For Petitioner : M/s.G.Uma Maheswari
For R1 : Mr.S.J.Jagadev
For R2 : Mr.P.Lodson Swaminath
for M/s Isaac Chambers

For R3 : Mr.P.Raja
Government Advocate

For R4 & R5 : Mr.V.Kathirvelu
Special Government Pleader

O R D E R

The learned counsel for the writ petitioner made a submission that the respondents Management may be permitted to issue a fresh Show Cause Notice setting out the reasons for the deviation of the findings of the Enquiry Report.

2. In view of the undertaking given by the learned counsel for the writ petitioner, the impugned show cause notice issued in proceedings dated 12.06.2018 is quashed. The respondents are at liberty to issue a fresh Show Cause Notice setting out all facts and circumstances and the reasons for deviating the Enquiry Report and communicate the same to the writ petitioner. The writ petitioner is at liberty to submit his objections / explanations in respect of the Show Cause Notice to be issued and only thereafter, the Competent Authority is empowered to consider the materials available on record, take a decision and pass final orders in the disciplinary proceedings.

With these directions, the Writ Petition stands partly allowed. No costs. Consequently, the connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

dua/vji

To

1.The State of Tamil Nadu,
Rep by its Secretary
Education Department,
Fort St.George, Chennai - 600 009.

2.The Director of College Education,
9th Floor, EVK Sampath Building
College Road, Chennai - 600 006.

3.The Regional Joint Director of College Education,
Office of the Regional Joint Director
of College Education,
Institute of Advanced
Study in Education Campus, Saidapet,
Chennai 600015.

+1cc to M/s Isaac Chambers , Advocate SR.No. 23025

+1cc to Mr.S.Veeraraghavan,Advocate SR.No. 22762

+1cc to Mr.S.J.Jagadev , Advocate SR.No. 22795

+1 cc to Government Pleader SR.NO. 22585,22641

W.P.No.16679 of 2018

and

W.M.P.Nos.19890 of 2018

& 38 of 2019

A.SK(01/05/2019)



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